California Journal
The Monthly Analysis of State Government and Politics
October 1980 / $1.75

NOVEMBER ELECTION GUIDE

☒ Analysis of all races ☒ Seven ratings of lawmakers
☒ How Reagan can both win and lose

HERE COMES THE 'WATER WAR' OF THE '80s

SACRAMENTO'S NEW-BREED LOBBYISTS

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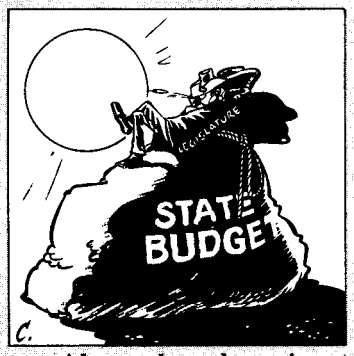
Personal
PERSPECTIVE
By Ed Salzman

The Oath of Office



Now we know the real deadline for the passage of the state budget each year — the first payday in July for state employees. This year's budget was enacted on July 16th, the latest day in history. And the budget fight might still be in progress if it hadn't been for the prospect of thousands of state workers going without their mid-July paychecks.

It isn't just state employees who would be affected by a delay in the meeting of a regular payroll. What about all those who provide goods and services to these employees and their families? What about the holders of mortgages on the homes of these civil servants? These are some of the questions that were under consideration in July by those with large numbers of state workers in their districts, among them Republican Assemblywomen Jean Moorhead and Carol Hallett. This factor was pivotal in the breaking of the Senate budget blockade on the eve of the mid-July payday.

Following the close call this year, there have been several suggestions for "reforms" that will guarantee that the budget will be passed by a reasonable date in future years. Former Legislative Analyst A. Alan Post, for example, has recommended that the two-thirds-vote requirement for enactment of the budget bill be eliminated in favor of a simple majority. That would give the majority party total control over the state's purse strings and would reduce the minority party to a caucus of political eunuchs (and the female equivalent thereof, whatever that may be). Over the years, the process of negotiations has worked well for the state and there is no real need to abandon the two-thirds rule.

It has also been suggested that legislators be treated like children and that their expense payments or salaries be withheld until they pass the budget. That's like telling 3-year-olds that there will be no dessert until the spinach is eaten.

The remedy for the late-budget syndrome is simple enforcement of the provision that is already in the state constitution: "The Legislature shall pass the budget by midnight of June 15 each year." What would happen if some June 16th a taxpayer filed a suit against the Legislature based on this provision? For one, former state Finance Director Caspar W. Weinberger thinks the court might well rule against the Legislature. After all, every lawmaker takes an oath to uphold the constitution. Once that oath is violated, shouldn't that lawmaker be subject to removal from office? It is doubtful that the Supreme Court would throw all 120 legislators out of office if the June 15th deadline were violated. But the court might adopt the treat-'em-as-juveniles attitude and strip lawmakers of all benefits, including pay and expenses, while the budget was still at issue.

The logical source for such a suit would be the California State Employees Association. But would this potent lobbying group risk the wrath of those who set salary levels by filing such a suit? So the job will have to be done by some ordinary citizen who feels it important that legislators be held accountable for their oath of office.

And if the courts declare that the June 15th deadline is unenforceable, the provision ought to be stricken from the state constitution and replaced with something that will do the job.

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Thomas R. Hoeber

EDITOR
Ed Salzman

MANAGING EDITOR
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ART DIRECTOR
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CONTRIBUTING ARTISTS:
Grace Mateu, Paul Duginski

CIRCULATION MANAGER:
Barbara Aguirre

STAFF: Hope Tuttle, Caroline T. Gamble, Sandi M. Wolff

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AUDITORS: Arthur Young & Company.

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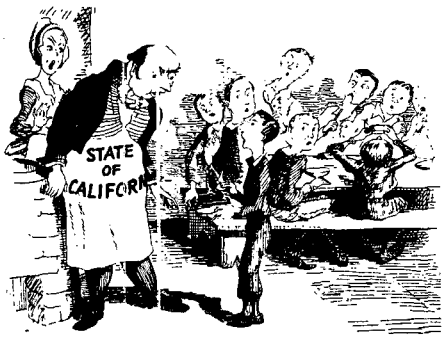
Wilson Riles is acting as though he may run in 1982 — not for re-election as superintendent of public instruction but for S. I. Hayakawa's seat in the United States Senate.

San Francisco is becoming the political laughing stock of the state with its in-again, out-again act on district election of supervisors.

In San Diego, Supervisor Roger Hedgecock probably put an end to a promising political career by advocating a salary of $52,366 for members of his board.

Why does Fred Kline list Tony Cimarusti, press secretary to Attorney General George Deukmejian, as a member of the Capitol News Service staff?

Back cover of the Mendocino County budget over the caption: 'Please sir, may I have more?'



Assembly Republican leader Carol Hallett is claiming a pickup of five Assembly seats from the Democrats this year — not a GOP takeover of the House. Incidentally, she considers Dave Stirling her prime competitor for the Republican leadership post.

After 21 years with the *Los Angeles Times*, the last four as Orange County political writer, Bud Lembke is launching a new weekly newspaper, the *Dana Point Beacon*.

In case you missed it, directors of the Dana Point Sanitary District, who receive a salary of $50 a month, have voted themselves pensions of $500 a month (at the age of 65 after eight years of service).

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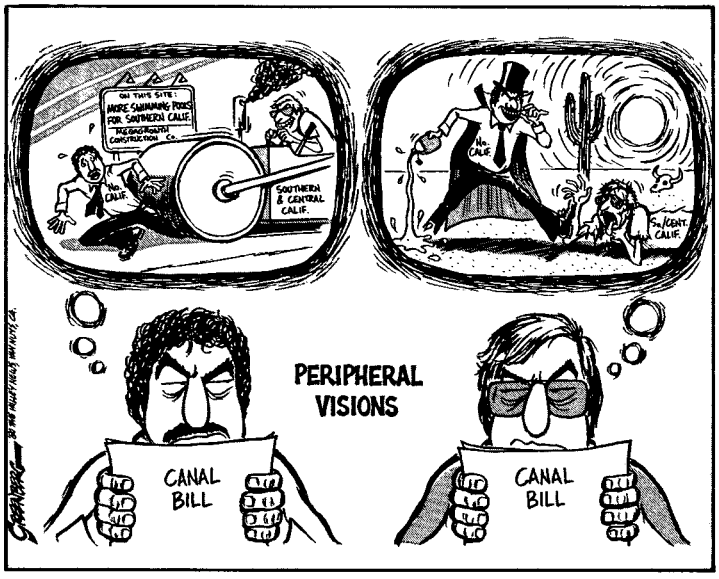
Get ready for the water war of the 80's

By Elizabeth Johnson

If the Legislature ever passed a bill with an uncertain future, it is this year's measure authorizing the construction of the controversial Peripheral Canal around the Sacramento-San Joaquin Delta. Enactment of the bill hardly answered the fundamental question: When, if ever, will the massive public works project be built? Before the authorization can be converted to action, sponsors of the canal must leap several high hurdles. Among them:



- **Referendum.** Immediately after SB 200 by Senator Ruben Ayala of San Bernardino County was signed into law, a campaign was launched to place the measure before the voters in the form of a referendum. The organizations conducting the drive benefited from a Northern California media barrage on the canal, and it appeared that the referendum would qualify for the ballot. (Under normal conditions, the vote would come in June of 1982. But Governor Brown could call a special election earlier.)
- **Lawsuits.** Environmental lawyers are expected to stampede the courthouse to challenge the legal and ecological aspects of the project. Open season on SB 200 will not start, however, until the outcome of the referendum is known and the bill actually achieves legal force.
- **Money.** The Ayala bill did not contain any specific financing provisions, nor do the sponsors desire to go to the voters with a general-obligation bond issue (as was done 20 years ago with the California Water Plan). Instead, the state Department of Water Resources has put together a complex financial package that may or may not do the job.
- **Conservation.** Governor Brown and environmentalists in the Legislature are pushing for a water conservation program alongside the canal project. If farmers are forced to recycle wastewater, they may decide that the price of canal water is too high.
- **Initiatives.** Even if SB 200 is approved by the voters, there would be nothing to prevent environmental organizations from trying to block the project by gathering signatures for any of a variety of initiative plans — including one to divide the state, already in circulation.

Complicating the issue is the presence of a Peripheral Canal companion measure, Proposition 8, on the November ballot. This proposal, authored by Assemblyman Larry Kapiloff of San Diego, places protections for the north in the constitution — including restrictions on the damming of north coast rivers. (It also includes a provision designed to accelerate the legal challenges.) What would be the effect on the referendum of the passage or failure of Proposition 8?

Elizabeth W. Johnson is a free-lance writer in Sacramento.

Enormous impact

The impact of the canal would be enormous, and every Californian would be affected by its construction. Geographically, it would touch every corner of the state in one way or another. Economically, it would affect everyone using water — and that's everyone. Environmentally, it could change some of the physical features of the state. Politically, it has already demonstrated the muscle that can be exercised by the combined forces of Southern California and the lower San Joaquin Valley against Northern California interests.

At stake in SB 200 and the proposed referendum is not just the canal. This 43-mile loop — bypassing the delta and carrying more high-quality Sacramento River water southward through the present aqueduct system — would be only one link in a chain of massive water projects.

By itself, the canal cannot solve water quality problems in the delta, nor supply the goals of the water industry to meet an estimated export demand of 7.5 million acre feet by the year 2000. The series of complementary storage and conveyance facilities envisioned to support the canal could include:

- Los Vaqueros Reservoir, a holding facility for excess water produced during the wet months. It would hold up to 1 million acre feet, and would be constructed in the south delta.
- Glenn Reservoir and Newville Dam, storing up to 5.5 million acre feet of water which drains off the east slope of the northern Coast Range. This reservoir is a short distance from the site of the controversial Dos Rios project, which would have dammed the Eel River. Ronald Reagan killed that proposal after being bombarded by environmental protests. (The League of Women Voters considers the Glenn Reservoir's proximity to the old Dos Rios site grounds for objection to the entire Peripheral Canal package.)
- Shasta Dam enlargement. This would be an alternative to the Glenn reservoir. The capacity of the lake behind Shasta would be increased from 4.5 million acre feet to 27 million acre feet.
- The Mid-Valley Canal. This would be an attempt to

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recharge the underground water basins in the San Joaquin Valley which are currently being overdrafted by over 1 million acre feet annually. Since this is a federal service area, money for the Mid-Valley Canal would probably be obtained from Washington. This canal would be filled with water that now goes to Contra Costa County.

- Colusa Reservoir and a series of five small dams near Willows. This would be an alternative to the Glenn complex and the Shasta Dam enlargement if those projects are rejected. The Colusa complex would store about 3.2 million acre feet.
- Delta improvement facilities. Located in the southern and western portions of the delta, these would include small canals, pumping plants and channel-control structures to correct water circulation problems and to improve water quality for delta farmers.

A question of trust

As the debate over the canal and its associated projects turns from the legislative to the public arena, what issues are going to be raised? The arguments in favor of the project seem clear-cut, while those on the other side are more complex and perhaps boil down to this fact: The north doesn't trust the south to meet its environmental commitments when the crunch comes. When there is plenty of water for all, the debate is moot. During a dry year or a multi-year drought, the competition for available water could be ferocious.

The basic argument in favor of the canal is that the south needs the water and the north doesn't need it. The sponsors also contend that controlled releases of water from the canal at strategic points in the delta will actually improve environmental conditions in the delta.

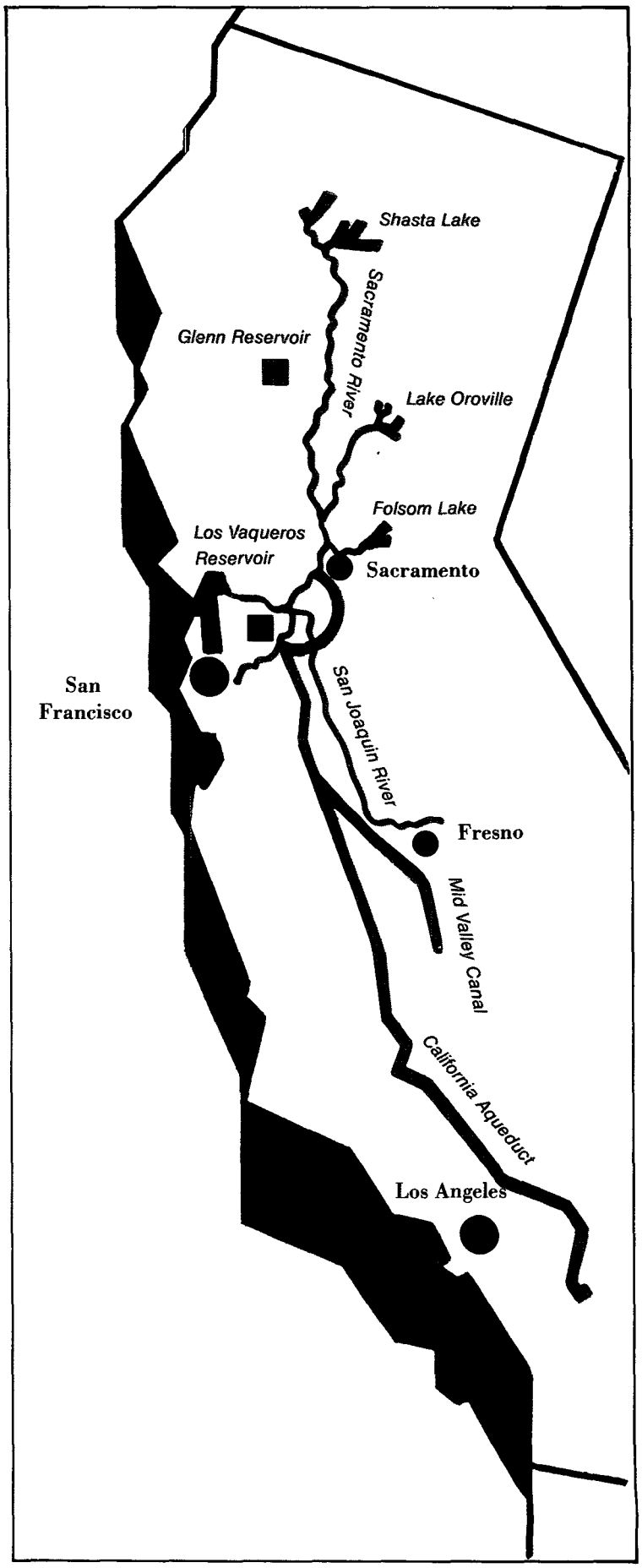
In Southern California, the cry of need is directed by the huge Metropolitan Water District (MWD), which led the legislative campaign for SB 200. The district voiced fears that its supply of Colorado River water would diminish after 1985, when Arizona is expected to assert its claim to water that flows through the state. By 1990, the supply of Colorado River water delivered to MWD will be cut in half from a 1978 peak of 1.2 million acre feet. According to the district, demand will equal supply in 1990. If there is to be continued growth in Southern California beyond that data, more water must be obtained from some source. That source would be the Peripheral Canal.

In the lower San Joaquin Valley, need is expressed in different terms. Many growers have been depleting the underground water supply, and there is a limit to how low the growers can drop the water table. They claim that more imported irrigation water is needed to maintain a healthy agricultural economy in the state. Most of the arid lands on the west side of the valley are irrigated with imported rather than groundwater.

The sponsors point to the environmental protections in the legislation as evidence of good faith. Further, they can point to an exemplary record of protection by the state Water Resources Control Board and by the present director of the Department of Water Resources, Ron Robie. Without the canal, the department will be unable to meet its contractual obligations to provide water to districts in the southern part of the state.

Why, then, is there so much opposition to the canal? The main reasons expressed by referendum leader David E. Miller, a San Francisco attorney, and his colleagues:

- **Southern California doesn't need the water.** MWD doesn't use all the water for which it has contracted, and it now sells off "surplus" water to San Joaquin growers at bargain-basement rates. Future needs can be met through conservation and reclamation.
- **The delta ecology is too delicate to be risked.** The



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delta, with its unique wildlife habitat and rich farmlands, could be ruined by mismanagement of the canal. Likewise, San Francisco Bay, which depends on Sacramento River water for scouring and flushing, could be severely damaged. It is impossible to predict the effects on the bay-delta ecology, but a drastic change in water quantity and flow is too great a risk to take, and legal promises can be broken by the legislators who make them. Former state Senator Peter Behr of Marin County expressed the fears of Bay Area environmentalists: "You can't contain a thirsty beast in a paper cage."

- **This is not a north-versus-south battle.** Instead, the competition is between the consumers and taxpayers on one hand and the large agricultural corporations and oil companies on the other hand. The prime beneficiaries of the canal would be the huge firms that reap profits from worthless desert lands because they can obtain irrigation water at a fraction of its value.
- **The cost is outrageous,** far exceeding the potential benefit. The opponents point out that while the canal itself carries a $600 million price tag, the other facilities bring the total to $5 billion. Add the cost of building powerplants to move the water, and the cost rises to $11 billion. Add interest and the total jumps to $23 billion by 2035.
- **There has been insufficient discussion** of energy requirements and other fiscal issues. It would be much cheaper to produce water by conservation. This is not the time to be building a major user of energy.

Complex financing

The financing of the project will be difficult to explain to the public. The Department of Water Resources did not want to place any money in SB 200 because that would have increased the vote necessary to pass the measure from a simple majority to two-thirds. Nor does this seem the time to present a huge general obligation bond issue to the public.

The sources of capital projected for the project: tideland oil reserves, $344 million; state Central Valley Project revenue bonds, $2.2 billion; revenue transfers from the state water project, $2.3 billion; unexpended water project bonds, $167 million, and miscellaneous receipts, $75 million.

This financing plan is one of the projected legal targets of the environmentalists. They will claim that the department plans to spend money for purposes for which it was not intended. Another claim will be that the use of revenue bonds increases the cost of the project considerably, and that the cleaner way to obtain the funds would be through a vote of the people. The Department of Water Resources has maintained consistently that the people already authorized the canal in 1960 as part of the State Water Project.

For many years, it had been assumed that a major portion of the cost of the canal would be borne by the federal government. But Washington has shown no interest in becoming involved in the controversy, especially during the Carter presidency. In fact, Interior Secretary Cecil Andrus has predicted flatly that the projects in SB 200 will never be built. His reasons: the escalating construction costs and the legal entanglements that could stall the project for many years.

The California woods and rivers are full of young environmental attorneys aching for a chance to challenge the canal. Surprisingly, the Environmental Defense Fund is not yet leading the charge. Tom Graff of EDF said he is waiting to see whether a sound project can be developed that will meet the environmental concerns of his organization. But if these protections are not forthcoming — and the defeat last month of legislation designed to push water conservation is an indicator in this direction — lawsuits based on environmental and fiscal arguments will be filed.

But the first big test will be the referendum. There is no question that voters in the northern part of the state will be overwhelmingly against the canal. The northern media have been beating a bass drum against SB 200, and anti-canal forces have hired the Butcher-Forde Agency of Orange County to push the referendum. Even the McClatchy Newspapers in Sacramento, Fresno and Modesto turned against the canal this year, following years of support. The voters in the north could easily be overwhelmed in the more populous south, and Mervin Field's California poll indicates that southern support for the big project is very strong. Opponents will have to convince voters south of the Tehachapis that the canal is too expensive and will produce unwanted growth. The *Los Angeles Times* has been working overtime to sell the canal as absolutely vital to the future well-being of Southern California.

The proponents of the canal will have big money to promote their points of view. The business interests of Los Angeles and the corporate farms in the valley could open almost unlimited bank accounts. The coalition against the canal consists of small taxpayer organizations, environmental groups, delta interests and liberal political activists — hardly the source for millions of campaign dollars.

The passage of SB 200 hardly settled anything. It only signaled the start of the California water war of the 1980s.

For additional background on water issues in California, see major articles in the July 1975, April 1977, April 1979 and November 1979 issues of the *California Journal*.

The rare referendum

Most California voters cannot remember the last time a major effort was launched to kill a new law through the referendum process. The last time a referendum qualified for the ballot was 1952 (on taxation of nonprofit school property). The last time the voters turned down a bill passed by the Legislature was 1939 (on oil and gas control).

The referendum was instituted in California with the initiative and recall by Hiram Johnson and the Progressives in 1911. To qualify a referendum for the ballot, 346,119 signatures of registered voters must be obtained. That is the equivalent of 5 percent of the vote for governor in the 1978 election.

For the first 28 years, the referendum was used 33 times in California, but only twice since 1940. Here is a decade-by-decade breakdown, based on a chronology provided by the secretary of state's office:

1912 - 19	11
1920 - 28	11
1930 - 39	11
1940 - 49	1
1950 - 59	1
1960 - 69	none
1970 - 79	none

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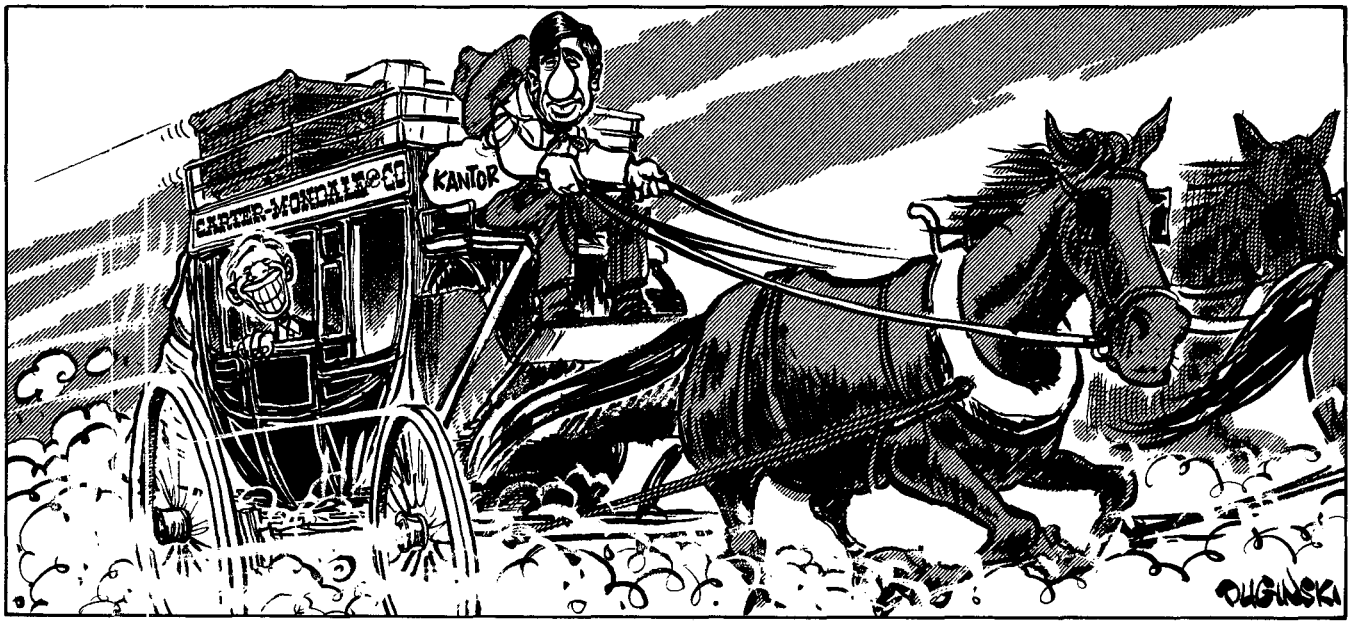
Why Kantor will manage the Carter campaign in California

By MICHELE WILLENS



PAUL DUGINSKI

His is a relatively new name in California politics, but Mickey Kantor, an amiable, 41-year-old lawyer from Tennessee, is gradually becoming the state's most sought-after operative behind the campaign scenes.

Kantor is a partner in the politically heavy firm of Manatt (Charles, the Democratic National Committee's finance chairman), Phelps, Rothenberg and Tunney (the former senator). He has played pivotal roles in a few, carefully selected campaigns since moving to Los Angeles from his native South in 1973.

After serving as campaign manager for Alan Cranston's re-election bid in 1974, Kantor surfaced again in 1976 as the top man behind Jerry Brown's dazzling — but tardy — race for the presidency. This year he agreed to lead the battle against Howard Jarvis' second tax revolt, despite early polls showing the No-on-9 side 38 points behind.

And now Kantor is chairman of the campaign everyone assumed wouldn't even bother to be: the Carter-Mondale effort in California. The fact that the Carter forces decided to challenge Ronald Reagan in his home state surprised many observers. Just as many seemed surprised that Mickey Kantor — known for his ability to smell victory — would accept the post.

In fact, this campaign fits Kantor's record for finding campaigns which offer no-lose situations. Even if the final numbers don't turn out his way, they weren't expected to and he will be considered valiant even to have tried. If Carter should somehow win in California, phrases like "brilliantly run campaign" will inevitably follow, just as they followed Kantor's successful No-on-9 campaign.

But that may be too crass a way to describe Kantor's motives. As well as being a shrewd political tactician, Kantor is considered by many associates as one of the last of the true idealogues. Even though he now works in a Century City high-rise and is on every list of influential people, Kantor insists that his first concerns are for the needy and disenfranchised.

"It became clear to me around 1968 and '69," he says, "that legal representation wasn't going to affect enough the issues I deeply cared about. I realized that political activity might be more effective, or at least the combination of both. Always, the issues that have been my number one priority are economic and social justice."

No-lose opportunities

The '74 Cranston campaign gave Kantor a chance to work for a man he thought believed in the same goals. It was also an opportunity for him to get acquainted with the state's important names and faces. As for Governor Brown's '76 campaign, Kantor liked the visionary things the governor was saying and also the classic no-lose opportunity that has become a Kantor trademark. It was clearly too late for Brown to win the nomination, so expectations were low. When the drive managed to rack up a string of last-minute primary victories, people were impressed. Among other tactics, Kantor used the power of Hollywood politics for Brown, funding 40 percent of his campaign costs with money

Michele Willens is a free-lance writer in Los Angeles and a frequent contributor to the Journal.

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raised by concerts by Brown friends like Helen Reddy, Chicago, the Eagles and Linda Ronstadt.

Brown aide Gray Davis says Kantor deserves much of the credit for Brown's late-primary successes: "I'm sure he's the only campaign manager hired 11 days after the candidate has announced. Entering that late was fraught with risk and could have been disastrous. But largely because of Mickey Kantor's stewardship, the campaign went well and enhanced Jerry's national credentials."

Kantor stayed out of the political fray when personal tragedy struck in 1978. His wife Valerie, a vivacious attorney and political activist, was killed in the San Diego plane crash that year, leaving Kantor with three small children. But he came roaring back this year when he decided to guide the No-on-9 campaign.

Strategy and issues

George Kieffer, another partner in the Manatt firm, worked with Kantor on No-on-9. He believes Kantor's strong suit is campaign strategy. "He can quickly focus on what a campaign is really about and frame it in the best possible way," says Kieffer. "He translates the hundreds of different issues into a relatively simply stated one or two. When the No-on-9 campaign started, no one thought of it as rich versus poor. But Mickey focused on that and drove it home. If he'd just listed that among 10 other issues, it would have been lost."

Bill Butcher, whose Butcher-Forde firm ran the Yes-on-9 campaign, agrees Kantor ran a good organization but doesn't feel the rich-versus-poor issue was necessarily the decisive one. "They were incredibly successful in keeping political types like Jerry Brown, Jim Mills and the other jerks of the world, out of it," Butcher says, "not allowing it to turn into the 'politicians versus the people' the way Proposition 13 was. They also struck fear in the hearts of people that services close to them would be cut.

"I'm not scared of Mickey Kantor," Butcher says, "but let's say I'd prefer to run campaigns against incompetents and he's not one of them."

Kantor's toughest challenge yet is the current one: trying to defeat Ronald Reagan in his home state. When Kantor agreed to take the job, even some friends felt a queasiness that this one didn't seem as pure as the campaigns Kantor usually chooses, that there might be some political expediency or quid-pro-quos involved. Kantor insists this campaign is no different from the others. In fact, he speaks as if he's on a mission from God.

"I don't think of this in terms of winning or losing," he says. "I have an obligation to keep Ronald Reagan from becoming president. He represents the kind of insensitivity and lack of concern about justice that I've spent my adult life working against. It is an important, even critical campaign and I think people should have judged me more harshly if I'd turned it down."

There is another key reason Kantor took the campaign: His old friend Walter Mondale called and asked him to. One reason Kantor did not help Brown's 1980 White House bid was, he admits, that "I'd never run a campaign against Fritz Mondale."

Kantor says the campaign won't back off from defense of the Carter-Mondale record but it clearly will concentrate on generating negative reaction to Reagan. At the same time, it will seek to win back disaffected Democrats who have joined the John Anderson camp.

Autonomy and friends

Kantor had to be convinced by Carter operatives like Bob Strauss and Tim Kraft that the California campaign would have complete autonomy. That is in contrast to the Carter '76 campaign in California, when the Georgians sent out a group of their own to try to understand California in two months. "California is still a mystery to them," Kantor says. "I've told them that we have the talent out here to do the job but that we need Carter and Mondale here a certain number of times. We also are negotiating to do some of our own advertising, since we understand the people and issues here better."

Kantor is calling out all his old friends and former clients for this one, determined to show a united Democratic picture. Day-to-day operations will be handled by his friend, attorney Barbara Johnson. Jerry Brown has promised to give "big chunks of his time," according to Davis, as have Cranston, Tom Bradley and the education and labor organizations. "Both those constituencies will be utilized heavily in this campaign," Kantor says. "Education, in particular, has always been a good friend of Carter's, so you'll see lots of help from the teachers groups. Fortunately, because of Prop 9, we already have a happy marriage because we worked together so well on that."

Kantor also says Treasurer Jesse Unruh and Assemblyman Mike Roos, who played the most active roles in the Carter-Mondale primary drive, will be used heavily — even though both were reportedly upset about being passed over for the top post — or for not being consulted, at least, on who should get the job.

"I understand how they feel," Kantor says, "that they were there first and aren't being utilized to their fullest. But they did a magnificent job with few resources in the primary, and I expect to use them."

Kantor is objective enough to know that the Carter drive is truly a long shot. "My winning streak may end," he smiles, "but at least I'll feel morally good about it. I really believe Carter has to win California to win because he won't do it in the other critical areas like Texas and New York."

Looking ahead

After the Carter campaign, Kantor must decide whom to help in the 1982 race for mayor of Los Angeles: incumbent Tom Bradley, who may or may not run another time, and City Controller Ira Reiner, who is running for mayor whether Bradley's in or out. Word has leaked that Kantor may guide Reiner's campaign since Reiner is an old friend, and the controller's help in the No-on-9 campaign was considered critical. Bradley recently called a private meeting with Kantor where he made it clear he'd prefer Kantor not take an active role in Reiner's campaign, particularly if Bradley is running again. "The mayor told Kantor it would be inappropriate to run the Carter-Mondale campaign, then go right into a municipal campaign and use all the same resources," says Bradley aide Tom Sullivan.

Kantor says, "Well, he (Bradley) didn't really say that, though it was a concern, which is silly because I had the same resources already. And anyway, you can't transfer a national campaign to a local one. Ira and I are very close friends, and I'd like to be active for him but I'm not going to do so publicly if Bradley runs again. I've also helped Bradley in the past and I think he's done a great job. So it's inconceivable I'd do anything to hurt him."

It's probably safe to assume that if Bradley runs again, Kantor will stay out. If Bradley runs for governor or senator, Kantor may place his name high on Reiner's campaign letterhead.

Of the more distant future, Kantor says, "I doubt I'll ever run for office and I definitely will not take an active role in the party structure like Manatt. I like campaigns better because they have a beginning and an end.

"Sure, I'm driven. I can't go to a play because I'll spend the whole time wondering what I'm missing. My girlfriend's idea of a high is seeing Richard Burton in "Camelot." Mine is seeing the latest Pat Caddell poll."

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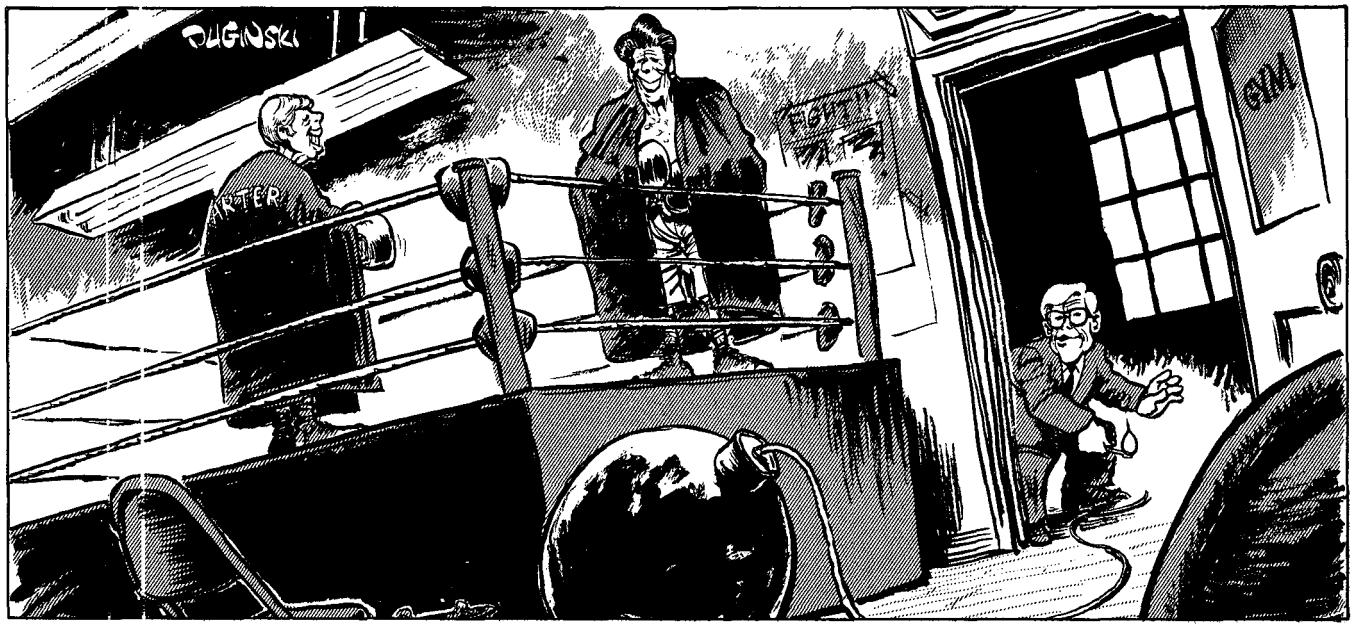
How Reagan might win the election and lose the presidency

By Tony Quinn



PAUL DUGINSKI

As Jimmy Carter and Ronald Reagan charge out of the starting gate, Democrats dream of another Harry Truman miracle, and the GOP worries it could again snatch defeat from the jaws of victory. But in the strange mathematics of American politics, there is the ever-so-faint hint this may be the year the Electoral College decides the race — the year our biggest constitutional quirk blows up in the voters' faces.

The opening weeks of the campaign suggest how this might happen. Reagan is being "Kennedyized." Ted Kennedy's ill-considered remarks early in the primary campaign made him the issue rather than Carter. Now the same thing's happening to Reagan. Consciously or not, the national press decided Kennedy was unworthy of the presidency and played up his every *faux pas* until he was defeated; now the treatment is being turned on Reagan, so that he rather than Carter is the campaign issue. The political consequence of all this is not necessarily a Carter win outright, but a tightening of the presidential race to the point that John Anderson is again a major factor. The immediate beneficiary of Reagan errors is Anderson, to whom go moderate voters once leaning to Reagan. As the presidential race tightens, the likelihood of the race being thrown into the House of Representatives grows.

America divides rather neatly into four distinct geographical voting blocs, and a look at the behavior of each bloc shows the possibility for constitutional mischief:

- **The West.** Ronald Reagan has been running ahead in the polls, partially because he has a huge lead in the 13 Western states. It would be an upset for Carter to carry any of them, except normally Democratic Hawaii. In the West the impact of independent candidate John Anderson clearly is to rob what few eggs are left in the Carter basket. Anderson might carry one Western state, Oregon, but all the rest belong to Reagan, including vote-rich California, barring some massive Reagan collapse.
- **The Northeast.** In the second voting bloc, the 10 Northeastern states, Anderson is strongest and Reagan at his weakest. Reagan could carry some Eastern states, but his best hope is for Anderson and Carter to split the liberal-moderate majority in these states and to give him some cheap wins. It may happen, but don't count on it. The East is this year's political orphan: Carter has cut too many ties with traditional Democrats and Reagan with many moderate Republicans.

Thirty-two years ago, when Truman stunned the nation, he did so by winning every Western state but Oregon, though he lost big to Thomas Dewey in the East. Then the Democrats had a presidential base in the West, but the Eastern Establishment controlled the GOP. Now the roles are reversed: There is no presidential Democratic party in the West, as witness the 1976 results. But at the same time, there is no presidential Republican party in the East.

John Anderson's chance to make a difference rests on his ability to carry the liberal independents, suburban moderate Republicans, Jews and other disaffected Democrats in the East, while Reagan eats into Carter's working-class base there. If he is still credible in November, Anderson could carry Maine, Vermont, Rhode Island, Massachusetts

Tony Quinn, a free-lance writer in Sacramento, is a frequent contributor to the Journal.

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and Connecticut, with a chance at the big prize, New York.

New York is Anderson's only hope among the big states, because the chemistry is just right there: a big Jewish vote, a tradition of supporting third parties, and a large independent and moderate-Republican base. If New York's 41 electoral votes can be added to Anderson's other likely winners, he could win 80 or so Electoral College votes, and then the "Anderson difference" would take shape.

- **The South.** Carter seems to be recovering in the third bloc, the 16 southern and border states, and here Anderson really is not a factor. Carter is safest in Georgia, Alabama, the District of Columbia, Arkansas, North Carolina, and West Virginia, and should win Maryland, Missouri, Tennessee, South Carolina, Mississippi — and by a narrow margin, Kentucky and Florida.

Reagan probably will win Virginia and Oklahoma, which went for Ford last time, and Texas and Louisiana. The latter two elected GOP governors in 1978 and 1979, and George Bush definitely helps Reagan in Texas.

- **The Midwest.** The race will be toughest in the fourth voting bloc. Samuel Lubell said that Harry Truman won re-election in the Corn Belt, and if Jimmy Carter is to repeat, he must do well in the 11 farm and industrial Midwestern states. Reagan has a lock on the Dakotas, Kansas, Nebraska and Indiana, where Carter ran poorly in 1976. Michigan and Fritz Mondale's Minnesota should carry for Carter, and no one knows about unpredictable Wisconsin, home of Anderson's running mate, former Governor Patrick Lucey. The fight will be for Ohio and Illinois; Ohio where John Kennedy lost and Carter won by just 11,000 votes, and Illinois where Ford won by just 50.1 percent.

Reagan's problem

An educated guess would give Reagan Illinois, where he'll be aided by a strong GOP organization, and would give Carter Ohio, where Anderson will take moderate Republicans from Reagan. Neither candidate really appeals to Wisconsin's brand of progressive politics, but with Pat Lucey on the ticket, Anderson should take enough traditional Democratic voters for Reagan to squeak through.

So Reagan starts the election campaign seemingly invincible in 14 states with 70 electoral votes (Alaska, Arizona, Colorado, Idaho, Indiana, Kansas, Montana, Nebraska, Nevada, New Mexico, North Dakota, South Dakota, Utah and Wyoming). He is still favored in another 11 states with 162 electoral votes (California, Delaware, Illinois, Iowa, New Hampshire, Louisiana, Texas, Oklahoma, Virginia, Washington and Wisconsin).

But then his problem begins to take shape. He would have only 232 electoral votes from these 25 states, but it takes 270 votes to win, and the Carter, Anderson and toss-up states include more than that number.

If Anderson wins his most likely states (Connecticut, Maine, Massachusetts, New York, Oregon, Rhode Island and Vermont), he would win 80 electoral votes, just enough to prevent either major party candidate from carrying the needed majority in the electoral college.

Carter's apparent political resurrection gives him a decent shot at the remaining 19 states. He is strongest in eight states with 63 electoral votes (Alabama, Arkansas, D.C., Georgia, Hawaii, Minnesota, North Carolina, and West Virginia.) He should be favored to win another eleven states with 163 electoral votes (Florida, Kentucky, New Jersey, Maryland, Missouri, Ohio, Mississippi, Michigan, Pennsylvania, Tennessee, and South Carolina). That would give him 226 electoral votes, leaving the election:

Reagan: 232 electoral votes
Carter: 226 electoral votes
Anderson: 80 electoral votes

So Reagan would be the next president; clearly he would have won the most states and popular votes. Right? Wrong. Assuming each one of these electoral voters marched to their state capitols in December and voted as their state went, a whole new election would occur in the House of Representatives in January, triggered by the antiquated 12th Amendment. And that election would guarantee four more years of Jimmy Carter.

One state, one vote

The 12th Amendment, passed in 1803, says that if no candidate wins a majority in the Electoral College, the House chooses the president from among the top three finishers. But each state gets only one vote in this contest. That means Nevada with one congressman has as much clout as California with 43. The state delegations caucus to decide how to cast their single votes.

Right now the Democrats control 29 congressional delegations and the Republicans 12. Nine are tied. So Carter begins with a potential for 29 delegation votes and Reagan only 12 — with a maze of imponderables, deal-making possibilities and political bargains likely before a president emerges.

What happens within a tied delegation? Unless one side or the other gives way, that state might not cast its delegation vote at all. Would states which he won vote for Anderson? That seems unlikely, given party loyalty in the House, since Anderson has no party.

Republicans are making a concentrated effort to win the handful of House seats needed to force a tie or take control of 10 more state delegations, but it's an uphill battle. Even if Republicans do very well in House elections this year, at least 23 House delegations are safely Democratic. No matter how the House is balanced, Carter is the big favorite if Congress picks the president.

There is a Catch-22, of course: In order for the GOP to do well in congressional elections this year, Regan must run strongly. If he runs well, he will win the presidency outright.

Carter's ace in the hole is party loyalty. In a House election, it will be hard for Anderson or Reagan to pick off more than a handful of Democratic members of Congress. California is a good example of the Republican problem. The California delegation divides 25 Democrats, 18 Republicans. Even if the GOP wins a new seat or two in the fall, the Democrats will still have a cushion.

In the showdown

Reagan could count on all California Republicans voting for him in a delegation showdown, except maybe Republican Pete McCloskey. But almost every Democrat would come down on Carter's side. At least one prominent Democratic congressman wanted to endorse Anderson openly this fall, but he was told that he would lose important campaign contributions and committee assignments if he did so.

Although several California Democrats fought Carter during the nomination process, it is hard to find even a single Democrat in California ready to vote for Reagan over Carter in a showdown. Even though Reagan may carry California handily in November, California's vote seems safe for Carter if the election goes to the House in January.

Should the House fail to elect a president, the vice president moves up. He would be chosen by the Senate — but again the Democrats have the advantage, so Mondale would probably edge Bush.

President Mondale? It seems far-fetched, but then this has been an unusual year. One thing is sure: The Electoral College and the 12th Amendment represent a ticking time bomb, and if John Anderson manages to trigger the mechanism, Ronald Reagan will suffer the consequences.

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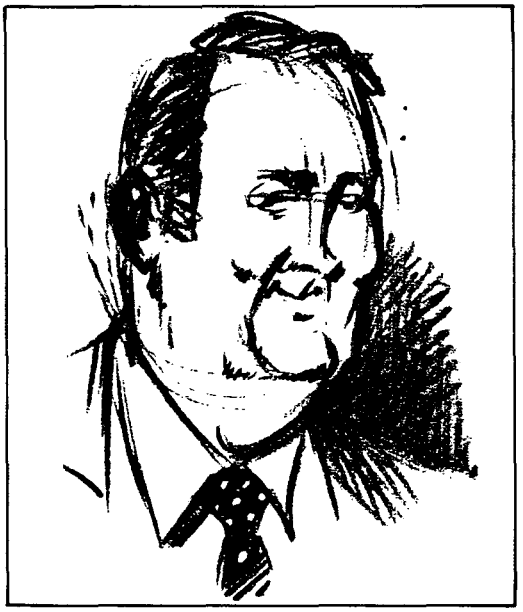
The traffic cop in the Reagan White House

By Herb Michelson



If Ronald Reagan is our next president, Edwin Meese III will be our next presidential chief of staff. There is no doubt of this. Meese was Reagan's right hand during the last six years of the Reagan Administration in Sacramento, and although a few other hands have come between the two men since 1975, Meese has always been out there in the wings.

When Reagan campaign boss John Sears began lopping off all of the old RR hands, he was stopped at Meese. No one close to the Republican presidential candidate will admit it publicly, but Sears was dumped when he moved on Meese, an attempt that alienated both the candidate and Mrs. Reagan. As Reagan said recently, "Ed Meese has unquestioned integrity and is a top administrator. I rely on his judgment very much in that capacity."

Meese is the quintessential Man Friday. He is bland, almost painfully so. He is patently loyal. He is disciplined, organized, tireless. He is not uncomfortable in the midst of power, yet he understands the reasons for restraining its use. He is willing to defer. He appears to want nothing for himself, a trait which leads some to believe he is without ambition. It is not that Ed Meese is dull; more likely, he works hard at being perceived as dull — the better to get his work done.

If he gets to the White House, he will not swing like Hamilton Jordan or plumb like Bob Haldeman or write like Ted Sorensen. What he will do is *meese* — a verb of the '80s. An active verb.

Meese serves as a director of the *California Journal* and other non-profit organizations. His father is a retired Alameda County treasurer-tax collector. His paternal grandfather was an Oakland city councilman and city treasurer. His paternal great-grandfather was an Oakland pioneer.

The public-service breeding extends to his wife and wife's family. Ursula Herrick Meese is the daughter of a former Oakland postmaster who previously was a VA administrator who previously was an Army colonel. Ursula herself was a probation officer in Alameda County. And the oldest child of Ed and Ursula attends West Point.

The Meeses always made it a point to give their three children a tour of Washington, D.C., on the youngsters' eleventh birthday. The reason for the tour was to give the children a sense of history. The reason for the timing was that travel fares increase when children reach 12. The Meeses are, admittedly, conservative in matters fiscal. Before joining Reagan in Sacramento as clemency secretary in 1967, Meese had been a deputy district attorney in Alameda County. He has never made a bundle; he and his wife say that moving to Washington will be expensive for them.

Keeping it cool

Meese will not of course be dragged kicking and screaming into the White House by Reagan, but the impression is that he'd prefer to stick with his teaching of the law and research in criminal justice at the University of San Diego. So why will he go if Reagan goes? Simple. "Ed will have to do as the governor (RR) asks, to get the new administration running right. He'll have to go because he'll be needed," says Ursula Meese. And the governor will ask.

Why would Reagan want Meese with him in Washington? Why would he entrust such a faceless, unassertive fellow with the uncommon power which accrues to a president's chief of staff? Again, simple. Reagan likes Meese. Mrs. Reagan likes Meese. Reagan knows Meese. Reagan realizes how well Meese meeses. Said Reagan recently, "Our gubernatorial administration was, due to Ed, more free of petty jealousies and bickering than in anything I've ever seen."

Meese keeps it cool. Ask Democrats. Ask Republicans. Ask people who worked in Sacramento for Reagan. Ask people who worked in Sacramento against Reagan. Ask liberals, moderates, conservatives.

Jerry Martin is one of the latter. For six years he was a research assistant to then-Governor Reagan and now is a Chevron public relations manager in San Francisco. Says Martin about Meese, "Ed never domineered. But he was always clearly in charge. He always knew where all the gopher holes were. He could pull together all the strong personalities in the administration, all of the conflicting views. He'd let everybody hang out their feelings. And he was never afraid to hire good people to do jobs he was unfamiliar with himself. He always staffed up with the best people he could find — and people with divergent viewpoints, too."

For six long years of long, long days, Meese kept the staff happy, the governor organized and accessible and the state of California reasonably healthy, barring anti-war protests, earthquakes and mudslides in the Hollywood Hills. "You never had to draw pictures for Ed Meese," says former GOP Assemblyman Bill Bagley, now an attorney in San Fran-

Herb Michelson is a columnist for the Sacramento Bee *and a frequent contributor to the* Journal.

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cisco. "From the moment Ed took over in Reagan's office, the system began working."

The myth is that Meese did everything in Sacramento for Reagan except fill the jellybean jar. The myth is that Meese served up California to his governor on one-page memos with spaces for check marks. The myth is that Meese sent Reagan home every afternoon at five, so that the governor could be tucked under his quilt with a glass of warm milk on the nightstand by six.

Myths. Meese would not meese that way then and he will not meese that way in the White House. Ed Meese knows who the people voted for; he knows his name has not been on a ballot.

The only time Meese ever ran for high office was at law school — Boalt Hall at the University of California, Berkeley. The office was class valedictorian, decided not on grades but on popularity. The only candidates were Meese and one of his best friends, current San Francisco attorney Bob Wallach. The election was won by Wallach. Didn't bother Meese a bit.

He could have run for attorney general in California in 1978. The GOP brass coaxed and coaxed, but Meese preferred the life of scholarly law at USD and the ranch-style house on the edge of a cul-de-sac in the San Diego suburb of La Mesa.

He could have had a judgeship years ago. One of his predecessors as Reagan's chief of staff in Sacramento, Bill Clark, now sits on the state Supreme Court. But Meese is not the type to nibble on the fruits of power or use the system to his own advantage. He didn't seek a judgeship in his Sacramento days because he thought he was too young. (Meese is 48 now.) He didn't because he thought he'd be bored with the judicial life. He didn't because being a judge would deprive him of the opportunity to meese.

Trust and birth parties

All right. How does one meese? A sampling of his friends and colleagues from the Alameda County and Sacramento days is in order. They are in the best position to define this new verb.

Start with compassion. He is a conservative, no doubt, albeit not an ideologue in the line of Jesse Helms or state Sen. H. L. Richardson. He is a conservative with compassion. "Sensitive to what the law could do and to legal precedent," says Alameda County Superior Judge Don McCullum, once on the Alameda D.A.'s staff with Meese and once the head of the Oakland chapter of the NAACP. "A warm man, a sensitive man."

One of Meese's former secretaries points out that "nearly everybody in the governor's office used to come to Ed with personal problems. Not that he was a father figure. Just that they knew he'd take the time, as busy as he was, to listen to them, that they could trust him with these personal matters."

They trusted him, and Meese could trust in turn. "He never tried to usurp any of our authority," says former Reagan press secretary Clyde Walthall, now a PG&E public relations executive in Sacramento. "He trusted the people the administration hired. For example, neither Ed nor the governor ever even asked to see any of my press releases before I issued them."

There is at least one other element to the human side of meesing: making time for family. Meese did not miss his two sons' Little League games. He did not miss birthday parties. He was, to be sure, the first in and the last out of the executive offices in Sacramento. But he made time for Ursula and the kids.

Then there is the business-like Meese: "He always had so many things going on, both inside and outside the office," says Alameda County D.A. Lowell Jensen, long a colleague of Meese in that office. "I sometimes thought he had too many things going at once. But he kept them all going well. It fascinated me that he could do that."

The art of meesing looks effortless. A writer bumps into Meese on an airplane. Meese is reading several documents. The writer chats with Meese. Meese chats back — while continuing to read the documents. "Fascinated me he could do that," says the writer. And he can do that because he screens out superfluities, concentrates on the task at hand.

"Never moans or groans," says his father. "Always tries to be optimistic. If good things come along for him, fine. If not, that's fine, too." As Ursula Meese analyzes her man: "Ed's ambitious for projects, but never for himself."

And he agrees: "If the clemency secretary's job hadn't come along in 1967, I'd probably still be in the D.A.'s office in Oakland. That or teaching law on a quiet campus someplace," he says.

A substantial element of meesing is fathoming technique. Everyone says Meese is a "sound technical lawyer." His bent for technical deciphering permits him to synthesize positions. He can argue for the defense or for the prosecution. He can state the issues, the alternatives, the consequences. "You never lose to him personally," says one former associate. "You may lose your issue, but you lose without being offended." In other words, being meesed is not being fleeced.

Those who know the man call him both apolitical and political. He's apolitical because he's not a dealer. He's political because he works for a politician in whose politics he believes. And he is at heart — unlike many conservatives — *not* anti-government.

He is Reagan's man. No one else's. He would not go to Washington for Carter or Anderson or Coolidge. He would not, he says, have come to Sacramento for any other governor. Reagan expects a quality performance, Meese says. Give Reagan quality and he doesn't bother you, Meese says.

The two men are a great deal alike, says Ursula Meese. Except, says her husband, Reagan can relax while working and he can't.

The diligent, gray meeser. "Reminds you sometimes of a tough old cop," says a leading California Democrat. Well, if he gets to the White House, Edwin Meese III just may have himself a whole bunch of traffic to direct.

Frank Mesplé internship fund

The Frank Mesplé Internship Fund was created to help support students working for the *California Journal*. They observe state and local government and prepare articles for publication in the *Journal*.

The fund was founded by the *Journal's* board of directors in memory of Frank Mesplé, who had served as a government professor, legislative advocate, gubernatorial aide and wit-about-Sacramento. The purpose of the fund is to carry on Mesplé's commitment to the youth of California and to the democratic process.

Recent contributors to the fund, whose support the *Journal* gratefully acknowledges, include:

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THE COWBOY AND THE PATRIOT

By HAL RUBIN

If there is a political drift to the right this year — and if that drift affects local as well as national races — then pay attention to the 13th Senatorial District contest between incumbent John Garamendi and challenger William Van Dyke Johnson. It's almost as though the race had been typecast to test the extent of the conservative trend. It pits a 35-year-old, first-term, unabashedly progressive Democratic senator against a 49-year-old, ultra-conservative Republican with a 12-year record on the El Dorado County Board of Supervisors.

Challenger Johnson — no newcomer to politics — was president in 1975 of the Regional Council of Rural Counties, which includes 22 counties. He was president of the 14-county Sacramento-Mother Lode Supervisors Association in 1976, and is currently president of the statewide County Supervisors Association of California. He has received the "Freedom Award" from the Congress of Freedom, Incorporated, and the Patriots Award from Women for Constitutional Government for his battle against regional government.

The race has special significance for at least two reasons:

- The district offers a rural-urban cross section of six cow counties and three Central Valley counties, including Alpine, Amador, Calaveras, El Dorado, Mono, San Joaquin and Tuolumne, and parts of Sacramento and Stanislaus counties. It stretches 130 miles south from Lake Tahoe and measures about 90 miles east and west. At the last reapportionment the congested barrios and corporate agribusiness holdings of San Joaquin County were added to the 13th Virtually all of the state's contrasting urban and rural special-interest groups and ethnic enclaves are represented; the voters are as politically diverse as the climate and geography.
- Although nine Democratic seats in the state Senate are up for grabs next month, seven of them are considered virtually untouchable. Garamendi occupies one of the two Democratic seats viewed as prime targets by the GOP.

Hal Rubin is a journalism professor at Sacramento State University and a frequent contributor to the Journal.

A tight race

There may be logic in the Republican assessment. Garamendi is a freshman senator whose immediate predecessor was a Republican, Clare Berryhill, who chose in 1976 not to seek re-election. When Garamendi gave up his Assembly seat to try for the Senate, his opponent was a Republican political neophyte, Bob Whitten. A former television anchorman, Whitten had a lot of money behind him.

The final vote was 104,953 to 92,872. Garamendi took the crucial San Joaquin County area, which contains 53 percent of the votes in the district. He also won all of the other counties except Mono, but his total margin was a scant 12,000 votes. The contest indicated again that no part of rural California is really safe for the Democrats, even if the 13th District shows a lopsided registration of 58 percent Democratic and 34 percent Republican.

Yet Garamendi has quite a bit going for him. Especially in district elections, incumbency is still the most important factor. Coattail-riding has not been the pattern in California, and it remains to be seen if GOP candidate Ronald Reagan can alter that fact. Because voters these days consider

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parties largely irrelevant, other elements affecting public perceptions become important. Here Garamendi and Johnson have a lot in common. They both come from cattle-ranching families who started out in Nevada; both retain their ties to the land, which is important to rural voters.

Garamendi may have an edge because the Basque and Italian clans are prominent in the region and he is both, with a dash of Irish for good measure. He makes a point of mentioning that he is a charter member of the Italian Club in Amador County. The senator's paternal grandfather, who began as a sheepherder like many of the early Basque immigrants, took up the hotel business, first in Ely, Nevada, then in Stockton. His Irish mother's family was involved in gold mining and ranching in Calaveras County. Politically his ethnic mix would be hard to improve.

Johnson's father and uncle were cattle ranchers whose land holdings once included 4,000 acres along the south shore of the Tahoe Basin in El Dorado County. Both candidates studied business and economics, Johnson at the Reno Business College and City College of San Francisco and Garamendi at the University of California, Berkeley, and Harvard. They are both family men; Garamendi has three daughters and a son and Johnson has three sons.

Garamendi's wife Patti manages his campaigns, is active in community affairs in the 13th District, and is generally regarded as a political asset. Married shortly before they graduated from Berkeley, their first home was in a remote village in Ethiopia, where they did a two-year stint in the Peace Corps. The Garamendis live in Walnut Grove in the Delta near Sacramento but maintain their ranch and second home near Mokelumne Hill in Calaveras County. The Johnsons are longtime residents of South Lake Tahoe. They also maintain a trailer on their 15-acre orchard at Apple Hill near Placerville, so he can reduce his time on the road when there is county business in Placerville, the seat of El Dorado County.

Clear contrasts

On 13th District issues, though, the candidates offer clear contrasts. For example:

- **Lake Tahoe.** Garamendi has led the California delegation in negotiating with Nevada to protect the Tahoe area from overdevelopment and pollution. The November ballot will contain an $85 million bond issue which Garamendi authored to buy up private lots whose owners are stymied by zoning and environmental controls. Johnson claims that Garamendi's bond issue is inadequate because more than $800 million in inverse condemnation suits are pending by property owners who believe they are being prevented from exercising their inherent property rights.

Tahoe is a hot issue in the district because the south end of the lake lies within El Dorado County. Garamendi says flatly, "Johnson was a supervisor who approved the subdivisions that are ruining Tahoe." Johnson, a resident of the Tahoe Basin most of his life, responds that his battle against urban blight began with opposition to the Tahoe airport and includes opposition to the big Tahoe Keys development. "But," he says, "I believe private property rights are the basic cornerstone of our Constitution and our form of government. If you destroy these rights you are going to destroy the whole system, and that is the problem I see at Tahoe." He insists that "the Tahoe Regional Planning Agency purpose is really not to save the beauty of Lake Tahoe, but to set legal precedents so that regional government can be installed throughout the United States."

- **Land use.** Garamendi supports legislation and taxing policies to save prime agricultural lands from urban encroachment. Johnson campaigns hard against bureaucratic usurpation of private property rights and the dangers of letting regional planners decide how land is to be used.
- **Agriculture policies.** Farm interests have a lot of clout in the 13th District, especially in San Joaquin County. Seeking their support, Johnson claims that Garamendi has displayed negligence and poor judgment in supporting some of the governor's pro-labor appointments to the Agricultural Labor Relations Board. To that charge Garamendi responds, "Baloney." He insists that he has constantly urged Brown to appoint agricultural people to fill board vacancies.
- **Nuclear power.** Rancho Seco, about 20 miles from the Capitol, is operated by the Sacramento Municipal Utilities District and is a twin of the failed Three Mile Island plant in Pennsylvania. Right after the near-meltdown at TMI, Garamendi participated in a candlelight vigil under Rancho Seco's towers in an effort to close the plant until its safety had been verified. Garamendi has introduced three pieces of legislation that would improve the monitoring of radiation around the plant, initiate an alerting system, and establish evacuation procedures in the area in case of a disaster. "If the Diablo Canyon plant passes safety review it should be used," Garamendi says, but he doesn't want to see any new nuclear power plants built in California. "There are other ways to go," he says, referring to conservation and renewable alternate energy sources. Johnson scoffs at the senator's claim that nuclear energy is acceptable only if it is proven safe: "There's risk in everything we do, so we make it as safe as we can and calculate the risk we must take." He favors building additional nuclear plants because "I don't believe there is anything other than nuclear energy that can be developed in the near future that will adequately meet the demand."
- **Water.** Both men oppose the building of the Peripheral Canal. Garamendi has crusaded against the multi-billion dollar addition to the state water project, condemning it as an ecological and economic calamity. He has also sponsored legislation to reduce the amount of water being drained south out of Mono Lake. Johnson says that if he had been in the Legislature he would have insisted on additional storage units along major rivers in the foothills to mitigate the need for exporting of more water to Southern California.
- **New Melones.** Parting company with environmentalists who generally support him, Garamendi favors filling of the New Melones Dam. Johnson charges the senator with doubletalk on the issue: "Garamendi didn't actively support filling of the dam until late in the game, and he supports the Friends of the Earth who caused all the trouble."

Images and labels

The senator works hard to project a tall-in-the-saddle, man-of-the-soil image to his constituents. (Some Amador County wags call him "the Rhinestone Cowboy.") At least three times a year he swings through the isolated hollows of Alpine (population 1,000) and Mono counties, and he regularly visits the 35 daily and weekly newspapers in the district. In 1976 the *Modesto Bee* and *Stockton Record*, both major dailies, supported him against Whitten. Undoubtedly some of the back-country weeklies, which tend to be more conservative, will endorse Johnson.

Both men make good copy. Garamendi charges that some of the articles Johnson writes "are almost verbatim copies of the John Birch literature I get from Lodi." Johnson vehemently denies that he is or ever has been a Bircher, insisting the articles reflect his own independent opinions. Johnson labels Garamendi as a proponent of tax-and-spend, but the senator reminds voters that he supported Propositions 13 and 4 and sponsored legislation to reform Medi-Cal health insurance and welfare programs.

Campaign rhetoric aside, the 13th Senatorial District candidates obviously offer the voters a choice, not an echo. The election could provide significant indicators about mountain and valley-floor politics in the 1980s.

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Another battle ahead on flexible-rate mortgages

By DAN WALTERS

GRACE MATEU

Leonard Shane has a long-term 7 percent mortgage on his Southern California home. He, like millions of other California homeowners, knows he's got a good deal. New mortgages, when they are available, cost 12 percent or more. They spiked to as high as 18 percent earlier in the year.

Shane has more than a passing interest in the home mortgage industry. He's the chairman of Mercury Savings and Loan of Huntington Beach and vice president of the California Savings and Loan League.

And he contends that he and the other Californians with long-term, fixed-rate mortgages are driving his industry to the brink of financial disaster.

The affable businessman was a central figure in the effort by the home mortgage industry this year to win state authority to issue new types of "flexible" mortgages in which interest rates and payments can be adjusted periodically.

The campaign was only modestly successful. The industry's main bill was vetoed by Governor Jerry Brown, and a coalition of consumer, labor and civil rights groups helped sustain the veto. A milder bill was enacted.

The consumerists and Brown found themselves throughout the year engaged in a running battle not only with the home mortgage lenders but other elements of the state's financial industry, all of whom were seeking legislative relief to help them cope with a wildly fluctuating money market. The moneylenders — savings and loans, merchants who issue credit cards, credit unions and finance companies — showered the Capitol with bills to raise their interest ceilings or enact other forms of relief.

The stakes were hundreds of millions of dollars in extra interest that the lenders wanted to extract from the pocketbooks of Californians who borrow money. The business interests succeeded in a few cases, failed in most. But there is little doubt that many of the same battles, including the one over mortgages, will be joined again next year.

Dan Walters is the Capitol bureau chief for the Sacramento Union.

Behind the drive

Three factors — the volatility of the money market, the preoccupation of Brown with his presidential campaign and the election-year demands of legislators for campaign funds — contributed to the financial industry drive this year.

The businesses that lend money to consumers also are borrowers. They obtain their funds for loans by borrowing from other institutions, from taking in savings accounts on which interest is paid and by floating commercial paper. All of those sources of money became much more expensive this year. Federal authorities lifted most of the restrictions on the interest that could be paid on savings accounts, for example, and savers who had been earning 5 or 6 percent suddenly were able to command twice as much.

The savings and loan industry argued that if their costs of obtaining mortgage capital were no longer fixed, they should not be restricted to issuing fixed-rate mortgages.

Shane, who became the point man for the savings and loan industry's drive for legislative relief, contends that because lenders are stuck with large portfolios of low-interest loans, such as his own, they are unable to make available to new borrowers a supply of money at reasonable interest rates. "The sons are subsidizing the fathers," he says.

He and other savings and loan executives are suggesting that instead of their being committed to 30-year, fixed-rate loans, they be allowed to adjust the interest rate on loans periodically to cope with their fluctuating costs of obtaining funds.

Variable rate mortgages are nothing new. For several years, savings and loans have issued VRMs that can swing as much as 2½ percent in quarter-point segments. But that's

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not flexible enough, the industry says, when their costs of obtaining capital can shift by several percentage points each year.

They proposed, therefore, a new type of mortgage in which the interest rate could vary — up or down — by as much as 5 percent. The 30-year loan could be broken into shorter segments of one to five years. Within each segment, the payment would be adjusted to cope with the changes in the interest rate. If the rate had gone up dramatically during the segment, there could be "negative amortization" in which unpaid interest is tacked onto the principal. Under some extreme circumstances, the borrower could see his payments rise sharply at the end of a segment and he could owe more than his original loan.

Mixed signals

It was the negative amortization that became the most controversial feature of the industry proposal, even though the lenders maintained that it was not likely to occur. The proposal was incorporated into legislation (SB1937) introduced by Democratic Senator John Foran of San Francisco.

Opposition was disorganized at first. The bill easily whipped through its initial committee and floor tests last spring. Governor Brown was still involved in his futile quest for the White House and during his absences a schism had developed within the administration.

Alan Stein, a former banker who is Brown's secretary of business and transportation, encouraged the industry efforts. "Some type of (loan) instrument has to be developed that is responsive to their long-term problems," Stein said in an interview. "A system that has worked very, very well for the country has to be modified. It's a real problem, not an imagined one." Stein contends that the savings and loan industry "came close to real disaster" early this year when interest rates skyrocketed and mortgage money dried up.

But Stein's advocacy for the industry was more than matched by the opposition of Richard Spohn, Brown's activist director of consumer affairs. He argued during long hours of internal administration battles that the industry was, in effect, seeking a long-term fix for a short-term problem.

Reason to respond

SB 1937, in effect, wound its way through the Legislature without any input from the administration. At the very end of its journey, the administration was still asking for a delay while it sorted out its own collective mind. But the Legislature ignored that plea and the developing opposition of consumer groups and placed the Foran bill on Brown's desk in mid-July, just before the summer recess.

Legislators had every reason to respond to the pleas of the savings and loan industry for relief. It has been one of the more lucrative sources of campaign contributions.

Common Cause reported that the industry has funneled more than $337,000 into campaign coffers since January 1st, 1979 — much of which went to legislative leaders or members of the committees that handle financial legislation. Democratic Assemblyman Tom Bane of Van Nuys, who sits on the Assembly Finance, Insurance and Commerce Committee, received more than $61,000 from savings and loan sources, for example.

Walter Zelman, director of California Common Cause, suggests that "the savings and loan industry makes money by making prudent investments. I have to assume that they would consider the money they've given in campaign contributions to be such a prudent investment."

Although it was ineffective in blocking SB 1937 in the Legislature, an opposition coalition began coalescing as the bill neared Brown's desk. The coalition was spearheaded by the Consumers Union and eventually included the California Labor Federation and other labor and civil rights groups, such as the NAACP and the GI Forum.

They contended that if the savings and loan industry bill were to be enacted, the cost in extra interest charges would amount to $5 billion per year. "The passage of the Foran bill is the greatest victory for the savings and loan industry in its history and perhaps the greatest big-business victory since the pre-Hiram Johnson days," the spokesmen for the coalition, Harry Snyder and Robert Gnaizda, said as the bill reached Brown's desk. The consumerists mounted an effective media barrage against the bill.

Brown waited until the Legislature was out of town for the summer recess and then vetoed SB 1937 — finally bowing to the consumerist drive to build media interest in the measure. The veto was something of an embarrassment to Stein. The bill, Brown said in his veto message, "goes too far and would result in many borrowers approaching the sixth year of their mortgage unprepared to deal with the dramatically increased monthly payments."

A negative nose count

When the Legislature returned from its summer vacation, the nose-counting for a veto override began. The consumer and labor coalition was joined by the administration in actively lobbying against the override. The industry and Foran could not muster the two-thirds margins in both houses and abandoned the effort.

But they went out with a blast at their foes. "Self-annointed spokesmen for the public interest would have Californians believe that the crisis in housing finance is over," Foran said as he announced that the override was being abandoned. "It is not. Because of new federal regulations that would allow lenders to divert up to 20 percent of their assets out of housing and into short-term consumer loans, California's housing market will lose $8 to $10 billion in 1981 alone. The total loss could exceed $24 billion. Obviously, the loss of this money will be disastrous not only to the home buyer, but to real estate and construction industries as well."

While most of the attention was focused on SB 1937, another bill quietly made its way through the Legislature and onto Brown's desk for a signature. It also would authorize flexible interest rate loans, with a maximum 5 percent swing, but without the negative amortization feature.

As he vetoed Foran's bill, Brown signaled that he would sign the other measure (AB 3142) by Democratic Assemblyman Alister McAlister of San Jose. The McAlister bill involves a type of loan already approved for federally chartered mortgage lenders. The Foran proposal would have gone beyond anything at the federal level or in other states.

The mortgage-market key

The victory of the consumerists both within and without the administration on the savings and loan industry bill is merely the prelude to another battle next year. Industry executives by no means have given up. They clearly have a majority of the Legislature on their side and hope that they can wear down Brown's reluctance.

The ultimate resolution of the struggle, however, may depend on what happens in the mortgage market in the months ahead. The home loan situation is volatile and hundreds of thousands of California families are worried that they may not be able to trade their apartments for homes.

The industry is saying, in effect, that the only way they can offer mortgages at affordable rates is if they can be protected against future swings in the cost of their money.

The prospective homeowner may be forced to decide whether he's more willing to forego his purchase or face the uncertainty of mortgages whose payments can change dramatically. The popular consensus on that decision probably will determine what Sacramento does in the future.

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November election preview

By Ed Salzman

Republican strategists in California are measuring Ronald Reagan's political coattails these days. Are they long enough to bring Paul Gann within shooting distance of United States Senator Alan Cranston? Will they allow the GOP to pick up four seats in the state's congressional delegation? Will they stretch far enough to allow the Republicans to take control of the Assembly and thus prevent a Democratic reapportionment next year?

In past California elections, Democratic candidates have done mighty well in years in which Reagan was on the ballot. California voters are notorious ticket-splitters; witness the fact that the state now has a governor and lieutenant governor of different parties. The Democrats need not worry about a transfer of allegiance from Reagan to other Republicans. Their problem is the evidence that Jimmy Carter has no coattails at all and that majority party voters, turned off by Carter, won't even bother to vote. If enough do that, Republicans could post unexpected gains in Congress and the Legislature.

Other than the presidential race, what will bring voters to the polls? Cranston's lead over Paul Gann apparently is so great that it will be difficult to get anyone excited over the Senate race. There are no super-controversial initiatives on the ballot. In fact, the only initiative is a warmed-over version of the smoking proposition defeated two years ago. The most intense political activity in the state is in the Assembly districts where the Republicans are waging war against the forces of Speaker Leo McCarthy or his rival general, Howard Berman.

One favorable prospect for the Democrats: a huge turnout in San Francisco. Political turmoil reigns in San Francisco after voters August 19th threw out all 11 supervisors selected by a ward system and set district-wide elections for November. Another ward-versus-citywide vote probably will take place in November.

What follows is an analysis of all statewide, congressional and legislative races (including updated analyses of all district contests):

President. Ronald Reagan should carry California comfortably. Recent polls show President Carter gaining ground, but not in the West. Just a few weeks ago, Carter was so desperate that he planned an assault on California's 45 electoral votes. Now that he's doing better in the South, Northeast and Midwest, Carter may concede the state to favorite-son Reagan in the final crunch. One problem for Carter is that he cannot challenge Reagan in California unless he can first demolish John Anderson's appeal to liberal Democrats. Is it worth the money and the effort if more fertile ground is available elsewhere?

A record seven candidates qualified for the ballot — Democrat Carter, Republican Reagan, Libertarian Ed Clark, independent Anderson, Peace and Freedom nominee Maureen Smith, independent Barry Commoner of the Citizens Party, and the American Independent Party's John Rarick

Senate. Democrat Alan Cranston is far ahead of Paul Gann in the polls. Many top Republicans are backing Cranston. Gann has so little personal appeal that he is not shown on his own television commercials. It is doubtful whether Cranston-Gann debates could help the Republican. Libertarian David Bergland figures to receive a respectable number of votes.

House of Representatives. The delegation is now divided 25 - 18 in favor of the Democrats. The GOP could take numerical control by defeating four Democrats believed to be in trouble. But there are also three Republican seats that could switch, and three freshman Republicans have yet to prove their staying power.

State Senate. This is the bright spot for the Democrats, who now control the Upper House, 23 - 17. Two of the three doubtful seats are now held by Republicans.

Assembly. It is barely possible for the Democrats to lose control of the Lower House, but that would entail the Republicans winning all 20 doubtful races. The House is now 50 - 30, and the Republicans should make some gains. The Berman-McCarthy contest has resulted in stiffer races for some Republicans.

HOUSE OF REPRESENTATIVES

DISTRICT	REGISTRATION	LOCATION	MAJOR-PARTY CANDIDATES	COMMENTS	OUTLOOK
1	53% D 36% R	Rural northeast	Johnson (Inc. D) Chappie (R)	Veteran Bizz Johnson is struggling for his political career against Assemblyman Gene Chappie.	DOUBTFUL.
2	53% D 34% R	North coast	Clausen (Inc. R) Bork (D)	Republicans are worried about Don Clausen's chances this time against Norma Bork, who has been working the district like a gardener.	DOUBTFUL.
3	58% D 32% R	Sacramento	Matsui (Inc. D) Murphy (R)	Freshman Bob Matsui will not be tested this year.	SAFE DEMOCRATIC.
4	59% D 29% R	Sacramento, Yolo, Solano	Fazio (Inc. D) Dehr (R)	Vic Fazio has felt so secure that he has been out front for Jimmy Carter.	SAFE DEMOCRATIC.
5	53% D 28% R	San Francisco, Marin	J. Burton (Inc. D) McQuaid (R)	John Burton is under siege, but party loyalty could pull him through.	DOUBTFUL.
6	64% D 20% R	San Francisco	P. Burton (Inc. D) Spinosa (R)	Phil Burton's efforts are concentrated on saving brother John.	SAFE DEMOCRATIC.
7	57% D 33% R	Contra Costa	Miller (Inc. D) St. Clair (R)	George Miller is the hero of the no-more-water-for-the-south set.	SAFE DEMOCRATIC.
8	60% D 27% R	Berkeley, Oakland	Dellums (Inc. D) Hughes (R)	Ron Dellums didn't win too convincingly two years ago, now has a rematch with Charles Hughes. The district is Democratic.	SAFE DEMOCRATIC.
9	62% D 28% R	East Oakland, San Leandro	Stark (Inc. D) Kennedy (R)	Pete Stark's toughest problem is deciding what office to try for next.	SAFE DEMOCRATIC.
10	61% D 25% R	San Jose, Fremont	Edwards (Inc. D) Lutton (R)	Don Edwards has become a political institution at the south end of San Francisco Bay.	SAFE DEMOCRATIC.
11	56% D 33% R	San Francisco Peninsula	Royer (Inc. R) Lantos (D)	Bill Royer won the seat of Democrat Leo Ryan in a special election, now must prove he can hold it. Tom Lantos is running a full-scale campaign.	DOUBTFUL.
12	49% D 38% R	Stanford and environs	McCloskey (Inc. R) Olsen (D)	Will Pete McCloskey finally take the plunge and run for statewide office after this term?	SAFE REPUBLICAN.
13	50% D 37% R	San Jose	Mineta (Inc. D) Gagne (R)	This would be a shaky seat for almost any Democrat except Norm Mineta, former mayor of San Jose.	SAFE DEMOCRATIC.

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DISTRICT	REGISTRATION	LOCATION	MAJOR-PARTY CANDIDATES	COMMENTS	OUTLOOK
14	55%D 36%R	Stockton, valley - hill area	Shumway (Inc. R) Cerney (D)	Norman Shumway won this seat from a wounded Democratic incumbent two years ago. Party loyalty is low, so he should keep the seat.	LEANS REPUBLICAN.
15	61%D 30%R	Fresno-Merced Stanislaus	Coelho (Inc. D) Schwartz (R)	Freshman Tony Coelho is building himself a solid constituency.	SAFE DEMOCRATIC.
16	51%D 36%R	Monterey, Santa Cruz	Panetta (Inc. D) Roth (R)	Leon Panetta is recognized as one of the state's top talents in Washington. Yet he could be victimized by a GOP steamroller.	SAFE DEMOCRATIC.
17	55%D 37%R	Fresno, Tulare	Pashayan (Inc. R) Johnson (D)	The word in Fresno is that Chip Pashayan can be taken, but probably not this year.	LEANS REPUBLICAN.
18	53%D 39%R	Kern, rural Los Angeles	Thomas (Inc. R) Timmermans (D)	This is one of the most conservative districts in the state despite the registration.	SAFE REPUBLICAN.
19	50%D 36%R	Santa Barbara, Ventura	Lagomarsino (Inc. R) Lodise (D)	Democrats have given up on trying to beat Bob Lagomarsino.	SAFE REPUBLICAN.
20	47%D 44%R	Ventura, part of L.A.	Goldwater (Inc. R) Miller (D)	Barry Goldwater Jr. is a magic name in Southern California.	SAFE REPUBLICAN.
21	60%D 31%R	San Fernando Valley	Corman (Inc. D) Fiedler (R)	This is one of the hottest races in the state. Can the veteran Jim Corman retain enough loyal Democrats to fight off the queen of the anti-busing movement, Bobbie Fiedler?	DOUBTFUL.
22	45%D 47%R	Glendale, Pasadena	Moorhead (Inc. R) O'Donnell (D)	Pierce O'Donnell is running as though he has a chance to beat Carlos Moorhead. In this GOP stronghold, he probably doesn't.	SAFE REPUBLICAN.
23	61%D 31%R	Encino, Beverly Hills	Beilenson (Inc. D) Winckler (R)	If Tony Beilenson doesn't win by a 2 - 1 margin, it will be an upset.	SAFE DEMOCRATIC.
24	60%D 29%R	Fairfax district	Waxman (Inc. D) Cayard (R)	Re-election is the least of Henry Waxman's concerns with partner Howard Berman fighting for the speakership.	SAFE DEMOCRATIC.
25	71%D 20%R	East Los Angeles	Roybal (Inc. D) Ferraro (R)	This is the heart of the state's Hispanic community.	SAFE DEMOCRATIC.
26	46%D 46%R	San Gabriel Valley	Rousselot (Inc. R) Lisoni (D)	John Rousselot's major regret is that he didn't run for the U.S. Senate.	SAFE REPUBLICAN.
27	47%D 42%R	Los Angeles coast	Dornan (Inc. R) Peck (D)	Colorful Bob Dornan almost lost two years ago to Carey Peck. This time, Peck has some problems. The outcome should be close.	DOUBTFUL.
28	76%D 17%R	Inglewood, Culver City	Dixon (Inc. D) Reid (R)	Republicans run in this district only for the exercise.	SAFE DEMOCRATIC.
29	84%D 10%R	Watts	Hawkins (Inc. D) Hirt (R)	For years, rumors of Gus Hawkins' retirement have proved grossly premature.	SAFE DEMOCRATIC.
30	71%D 21%R	Monterey Park, El Monte	Danielson (Inc. D) Platten (R)	George Danielson may have his district changed markedly by redistricting. He's safe until then.	SAFE DEMOCRATIC.
31	74%D 18%R	Hawthorne, Compton	Dymally (D) Grimshaw (R)	Former Lieutenant Governor Merv Dymally is back in business again.	SAFE DEMOCRATIC.
32	63%D 28%R	San Pedro	Anderson (Inc. D) Adler (R)	Glenn Anderson, once lieutenant governor, has found a home in Congress.	SAFE DEMOCRATIC.
33	54%D 38%R	Whittier, Downey	Grisham (Inc. R) Anderson (D)	Wayne Grisham won this seat in a large field two years ago. He should hold it this time, then keep his fingers crossed on reapportionment.	SAFE REPUBLICAN.
34	53%D 38%R	Long Beach	Lungren (Inc. R) Simone (D)	Although this is a marginal district, Dan Lungren seems to be entrenching himself.	SAFE REPUBLICAN.
35	51%D 41%R	Covina, Ontario	Lloyd (Inc. D) Dreier (R)	Republicans think they have a winner in young Dave Dreier, but Lloyd has proved himself an escape artist.	DOUBTFUL.
36	57%D 31%R	Riverside, San Bernardino	Brown (Inc. D) Stark (R)	It would take a mighty GOP landslide to dislodge foxy George Brown.	SAFE DEMOCRATIC.
37	47%D 43%R	Rural Riverside, San Bernardino	Lewis (Inc. R) Rusk (D)	Jerry Lewis knows how to handle this territory.	SAFE REPUBLICAN.
38	53%D 35%R	Santa Ana	Patterson (Inc. D) Jacobson (R)	Jerry Patterson runs extraordinarily strong for a Democrat in Orange County.	SAFE DEMOCRATIC.
39	43%D 47%R	Anaheim, Fullerton	Dannemeyer (Inc. R) Lahtinen (D)	Democrats would dearly love to defeat Bill Dannemeyer, a former Democratic legislator. But there isn't a chance.	SAFE REPUBLICAN.
40	37%D 49%R	Newport Beach	Badham (Inc. R) Dow (D)	After the GOP primary, the victor is known in this Republican bastion.	SAFE REPUBLICAN.
41	46%D 38%R	Suburban San Diego	Wilson (D) Lowery (R)	Democratic Senator Bob Wilson has carved out the right against Councilman Bill Lowery. Wilson is the better campaigner, but the district is hardly Democratic.	DOUBTFUL.
42	56%D 24%R	Urban San Diego	Van Deerlin (Inc. D) Hunter (R)	Lionel Van Deerlin is working harder on communications bills than on re-election.	SAFE DEMOCRATIC.
43	42%D 44%R	Eastern San Diego	Burgener (Inc. R) Metzger (D)	This would have been a runaway for Clair Burgener even without an opponent with a Ku Klux Klan label.	SAFE REPUBLICAN.

STATE SENATE

DISTRICT	REGISTRATION	LOCATION	MAJOR-PARTY CANDIDATES	COMMENTS	OUTLOOK
1	53%D 36%R	Rural northeast	Johnson (Inc. R) Huggins (D)	The Democrats are trying to raise enough money for a final-fortnight blitz, but Ray Johnson of Chico will be tough to beat. Johnson will keep running after redistricting.	SAFE REPUBLICAN.
3	58%D 31%R	Sacramento	Rodda (Inc. D) Doolittle (R)	Ultra-conservative John Doolittle may spend a bundle, but he won't budge Al Rodda.	SAFE DEMOCRATIC.
5	60%D 20%R	San Francisco	Marks (Inc. R)	Milton Marks is San Francisco's favorite Republican. He even won the Democratic nomination by write-in this year.	SAFE REPUBLICAN.
7	57%D 33%R	Contra Costa	Boatwright (D) Jarboe (R)	The Republican high command surrendered this seat of the retiring John Nejedly without much of a struggle.	SAFE DEMOCRATIC.
9	60%D 28%R	Berkeley-Oakland	Petris (Inc. D) Roust (R)	The veteran Nick Petris is one of the few liberals left with a liberal constituency.	SAFE DEMOCRATIC.
11	57%D 30%R	Santa Clara-Alameda	Alquist (Inc. D) Arey (R)	Al Alquist, at 72, is still plenty vigorous and shows no signs of losing control of his district.	SAFE DEMOCRATIC.
13	56%D 35%R	San Joaquin, Mother Lode	Garamendi (Inc. D) Johnson (R)	With pickings slim, the GOP has selected John Garamendi as a prime target. The race could be close.	DOUBTFUL.
15	55%D 37%R	Fresno, Tulare	Vuich (Inc. D) Adams (R)	Rose Ann Vuich, first woman ever elected to the Senate, should stay for four more years.	SAFE DEMOCRATIC.
17	51%D 36%R	Central coast	Mello (D) Seastrand (R)	With Republican Bob Nimmo retiring, big money is pouring into the district. Assemblyman Henry Mello is popular, but a GOP tide could beat him.	DOUBTFUL.
19	48%D 43%R	Northwestern LA, Ventura	Davis (R) Woodlock (D)	Former Los Angeles police chief Ed Davis won a close primary, now must be rated the favorite. Rosemary Woodlock impressed with her primary showing.	LEANS REPUBLICAN.
21	45%D 47%R	Glendale, Pasadena	Russell (Inc. R) Cogar (D)	It would take a miracle for a Democrat to win this seat.	SAFE REPUBLICAN.
23	61%D 27%R	West Los Angeles	Roberti (Inc. D) White (R)	Jimmy Carter might not be a hero in this district, but it is still far from Republican.	SAFE DEMOCRATIC.

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DISTRICT	REGISTRATION	LOCATION	MAJOR-PARTY CANDIDATES	COMMENTS	OUTLOOK
25	46% D 47% R	San Gabriel Valley	Richardson (Inc. R) Boothroyd (D)	Bill Richardson can afford the luxury of working elsewhere for the election of conservatives.	SAFE REPUBLICAN.
27	50% D 41% R	Los Angeles coast	Beverly (Inc. R) Buckland (D)	Moderate Republican Bob Beverly hasn't had a tough race for many years.	SAFE REPUBLICAN.
29	83% D 11% R	Watts	Greene (Inc. D) Faulkner (R)	Bill Greene has been hit with some adverse publicity, but that's irrelevant in his safe district.	SAFE DEMOCRATIC.
31	58% D 34% R	Long Beach	Speraw (Inc. R) Fronke (D)	Freshman Ollie Speraw has made some political errors, and he could be taken. But he has enough money to run a first-class campaign.	DOUBTFUL.
33	54% D 38% R	Whittier, Downey	Campbell (Inc. R) Epple (D)	GOP floor leader Bill Campbell usually runs far ahead of his party's registration.	SAFE REPUBLICAN.
35	42% D 47% R	Fullerton, Orange	Briggs (Inc. R) Velasquez (D)	If the district weren't so Republican, John Briggs might get a scare. Former Fullerton Mayor Louis Velasquez is giving it the old college try.	SAFE REPUBLICAN.
37	52% D 39% R	Garden Grove, Santa Ana	Carpenter (Inc. D) Wiles (R)	If Paul Carpenter didn't act like a Republican on many occasions, he might become a GOP target.	SAFE DEMOCRATIC.
39	46% D 38% R	San Diego	Ellis (R) Finnigan (D)	With Democratic incumbent Bob Wilson running for Congress, the Republicans should reclaim this seat behind Assemblyman Jim Ellis.	LEANS REPUBLICAN.

ASSEMBLY

DISTRICT	REGISTRATION	LOCATION	MAJOR-PARTY CANDIDATES	COMMENTS	OUTLOOK
1	54% D 35% R	Shasta, Butte other counties	Statham (Inc. R)	The Democrats have abandoned this district, long held by Pauline Davis.	SAFE REPUBLICAN.
2	55% D 31% R	North coast	Bosco (Inc. D) Potts (R)	Freshman Doug Bosco should solidify his hold on this district.	SAFE DEMOCRATIC.
3	52% D 37% R	Gold country	Garcia (D) Herger (R)	The better campaigner will win this open seat. Party loyalty is low.	DOUBTFUL.
4	57% D 31% R	Sacramento, Yolo, Solano	Hannigan (Inc. D) Cecil (R)	Republican Bill Cecil is working hard, but he won't come close to Tom Hannigan.	SAFE DEMOCRATIC.
5	57% D 32% R	Sacramento	Moorhead (Inc. R) Sheedy (D)	The Republican strength is low and Democrat Ted Sheedy will spend a fortune, but Jean Moorhead should win on personal popularity.	DOUBTFUL.
6	59% D 30% R	Sacramento	Greene (Inc. D) Benvenuti (R)	Leroy Greene raced out of danger in the primary.	SAFE DEMOCRATIC.
7	54% D 36% R	Valley - foothill area	N. Waters (Inc. D) Parises (R)	The Republicans think they have a shot at Norm Waters, but Dan Parises has come up short before.	LEANS DEMOCRATIC.
8	55% D 34% R	Napa, Solano, Sonoma	Asera (D) Sebastiani (R)	Wine and money will flow in this race, pitting a young member of the Sebastiani vintner family against a young county supervisor.	DOUBTFUL.
9	60% D 35% R	Marin, Sonoma	Filante (Inc. R) Charles (D)	Barrels of Democratic money will probably be spent behind Anne Charles in an effort to beat freshman William Filante.	DOUBTFUL.
10	50% D 39% R	Eastern Contra Costa	Hasseltine (D) Baker (R)	Supervisor Eric Hasseltine may not be able to hold this seat of Dan Boatwright for the Democrats.	DOUBTFUL.
11	66% D 24% R	Western Contra Costa	Campbell (D) Birka (R)	Councilman Bob Campbell of Richmond won the right to replace John Knox in the primary.	SAFE DEMOCRATIC.
12	54% D 34% R	Berkeley, Oakland, Orinda	Bates (Inc. D) Sullivan (R)	The statistics lead Republicans to think they have a chance of knocking off Tom Bates. But the Democratic part of the district is loyal.	LEANS DEMOCRATIC.
13	69% D 18% R	Berkeley, Alameda	Harris (Inc. D)	This is a one-party district.	SAFE DEMOCRATIC.
14	70% D 21% R	Oakland, San Leandro	Lockyer (Inc. D)	The Republicans abandoned this district many years ago.	SAFE DEMOCRATIC.
15	58% D 30% R	Hayward, Pleasanton	Mori (Inc. D) Marguth (R)	Floyd Mori escaped from a rough primary and has been gaining strength. Gib Marguth, former mayor of Livermore, will be tough.	DOUBTFUL.
16	62% D 16% R	San Francisco	Agnos (Inc. D) Jenkins (R)	A Republican could only win on a fluke.	SAFE DEMOCRATIC.
17	58% D 22% R	San Francisco	W. Brown (Inc. D) Crary (R)	Willie Brown should win by 20,000 votes.	SAFE DEMOCRATIC.
18	66% D 23% R	San Francisco	McCarthy (Inc. D) Gede (R)	McCarthy is running hard — for speaker, not for re-election.	SAFE DEMOCRATIC.
19	58% D 31% R	Northern San Mateo	Papan (Inc. D) Tucker (R)	Republican Jim Tucker will try to wrap the Capitol reconstruction job around Lou Papan's neck. But Papan is as tough as they come.	DOUBTFUL.
20	48% D 41% R	Southern San Mateo	Naylor (Inc. R) Tovar (D)	Democrats came as close to winning this seat two years ago as they will ever get.	SAFE REPUBLICAN.
21	51% D 34% R	Palo Alto, Mountain View	Morris (R) Sher (D)	Democrat Victor Calvo decided to retire, and now the GOP has an excellent chance of picking up this seat.	DOUBTFUL.
22	44% D 44% R	Los Altos, Los Gatos	Bridges (D) Konnyu (R)	The district has a GOP tradition, but the Democrats have the hotter candidate in former Saratoga Mayor Cole Bridges.	DOUBTFUL.
23	58% D 29% R	San Jose	Vasconcellos (Inc. D) Street (R)	John Vasconcellos has been lagging behind his party, and now the GOP is going after him.	LEANS DEMOCRATIC.
24	54% D 34% R	Agricultural Santa Clara	Cortese (D) Pegram (R)	Democrats think they have the ideal candidate in Dom Cortese, a county supervisor. The GOP candidate is San Jose Councilman Larry Pegram.	LEANS DEMOCRATIC.
25	60% D 27% R	San Jose, Fremont	McAlister (Inc. D)	Democrat Alister McAlister votes like a Republican on many issues, but for McCarthy for speaker.	SAFE DEMOCRATIC.
26	60% D 32% R	Stockton area	Johnston (D) Fondse (R)	This is the most torrid race in the valley, pitting young political pro Pat Johnston against county Supervisor Adrian Fondse.	DOUBTFUL.
27	59% D 32% R	Modesto	Thurman (Inc. D) Patterakis (R)	John Thurman will have to work to win another term.	LEANS DEMOCRATIC.
28	52% D 34% R	Monterey, Santa Cruz	Farr (D) Welchner (R)	Monterey Supervisor Sam Farr seemed to have this seat in the bag when Ann Welchner withdrew because of medical problems. But she returned to tighten the race.	DOUBTFUL.
29	49% D 39% R	Central coast	Hallett (Inc. R)	GOP leader Carol Hallett even won the Democratic nomination by write-in.	SAFE REPUBLICAN.
30	64% D 28% R	Fresno	Costa (Inc. D) Harner (R)	This district was once represented by a Republican, but that was an aberration.	SAFE DEMOCRATIC.
31	56% D 37% R	Fresno	Lehman (Inc. D)	Rick Lehman is a political pro who will be tough to dislodge in any year.	SAFE DEMOCRATIC.
32	55% D 36% R	Kings, Tulare	Duffy (Inc. R) Bovetti (D)	Gordon Duffy usually wins in a breeze. This year, he faces a Berman-backed Democrat, Kenn Bovetti, and will have to work.	LEANS REPUBLICAN.
33	55% D 37% R	Kern	Rogers (Inc. R) Jensen (D)	Don Rogers knows how to bring home the gushers of votes around Bakersfield.	SAFE REPUBLICAN.
34	50% D 41% R	Rural L.A., San Bernardino	Wyman (Inc. R) Dizmang (D)	This is one of the few marginal districts without a hot contest this year.	SAFE REPUBLICAN.
35	58% D 36% R	Santa Barbara	Hart (Inc. D) Aquino (R)	The registration statistics make this a difficult district for any Democrat but Gary Hart usually wins handily.	LEANS DEMOCRATIC.

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DISTRICT	REGISTRATION	LOCATION	MAJOR-PARTY CANDIDATES	COMMENTS	OUTLOOK
36	51%D 38%R	Ventura	Imbrecht (Inc. R) Laufer (D)	The Democrats are taking a run at GOP caucus chairman Chuck Imbrecht.	LEANS REPUBLICAN.
37	49%D 42%R	Northridge, Moorpark	Mathews (D) Wright (R)	This district has a Republican tradition, but Arline Mathews and Cathie Wright could go to the wire in this women-only race.	DOUBTFUL.
38	47%D 43%R	Malibu, Thousand Oaks	LaFollette (R) Afriat (D)	On experience, Marian LaFollette should keep this seat for the GOP. But Democrats are conceding little this year.	LEANS REPUBLICAN.
39	60%D 31%R	San Fernando	Hayes (Inc. R) Katz (D)	Freshman Bob Hayes is one of the top Berman-organization targets. Richard Katz has plenty of political friends.	DOUBTFUL.
40	60%D 31%R	Van Nuys, North Hollywood	Bane (Inc. D) Kennedy (R)	Few politicians take the temperature of a district more precisely than Tom Bane.	SAFE DEMOCRATIC.
41	45%D 48%R	Burbank, Glendale	Nolan (Inc. R) Helms (D)	This district has always been a dream for incumbent Republicans.	SAFE REPUBLICAN.
42	45%D 47%R	Pasadena	Ivers (Inc. R) Henry (D)	Gradual change has been taking place in this district, but it isn't ready for a Democratic takeover yet.	SAFE REPUBLICAN.
43	59%D 33%R	Sherman Oaks, Mulholland	Berman (Inc. D) Bates (R)	Republicans don't even make a serious effort in this area.	SAFE DEMOCRATIC.
44	61%D 27%R	Beverly Hills	Levine (Inc. D) Haupt (R)	This is more one-party territory.	SAFE DEMOCRATIC.
45	63%D 27%R	Fairfax, Studio City	Rosenthal (Inc. D) Parker (R)	Herschel Rosenthal will keep his post as unofficial head of the unofficial Jewish caucus.	SAFE DEMOCRATIC.
46	59%D 29%R	Wilshire, Silver Lake	Roos (Inc. D) Cory (R)	If Berman wins the speakership struggle, this district may be chopped to chicken liver in reapportionment.	SAFE DEMOCRATIC.
47	81%D 12%R	Watts	Hughes (Inc. D) Thompson (R)	The registration figures tell the story.	SAFE DEMOCRATIC.
48	84%D 11%R	Watts	M. Waters (Inc. D) Hallburn (R)	Maxine Waters is still waiting for a congressional district.	SAFE DEMOCRATIC.
49	74%D 18%R	Culver City	Moore (Inc. D)	Gwen Moore could be starting a long stay in Sacramento.	SAFE DEMOCRATIC.
50	75%D 19%R	Inglewood	Tucker (Inc. D) Thomas (R)	Curtis Tucker could be a pivotal vote in the speakership contest.	SAFE DEMOCRATIC.
51	43%D 47%R	Los Angeles coast	Ryan (Inc. R) Wirth (D)	Marilyn Ryan is well anchored.	SAFE REPUBLICAN.
52	59%D 32%R	San Pedro	Felando (Inc. R) Dominguez (D)	Campaign manager Allan Hoffenblum thinks he can pull Gerald Felando through against Berman-backed Louis Dominguez. The district has a Democratic tradition.	DOUBTFUL.
53	69%D 23%R	Gardena	Bannai (Inc. R) Floyd (D)	Democrats tear their hair because they cannot beat Paul Bannai in this heavily Democratic district. Dick Floyd has the backing of his boss, Senator Ralph Dills.	DOUBTFUL.
54	78%D 16%R	Compton, Paramount	Vicencia (Inc. D) Coxson (R)	Friendly Frank Vicencia is being mentioned often as a possible compromise speaker.	SAFE DEMOCRATIC.
55	67%D 23%R	East Los Angeles	Alatorre (Inc. D) Reed (R)	The turnout is small but mostly Democratic.	SAFE DEMOCRATIC.
56	78%D 13%R	East Los Angeles	Torres (Inc. D) Blacksten (R)	The GOP vote isn't worth counting.	SAFE DEMOCRATIC.
57	62%D 29%R	Long Beach	Elder (Inc. D) Robinson (R)	Dave Elder had a free ride until Paul Robinson qualified by write-in. Elder will win big.	SAFE DEMOCRATIC.
58	55%D 37%R	Long Beach	D. Brown (Inc. R) Allen (D)	Freshman Dennis Brown has no slouch as an opponent in John Allen, who has money to spend and help from the Berman gang.	DOUBTFUL.
59	68%D 25%R	Montebello, Monterey Park	Martinez (D)	Marty Martinez, with the benefit of a Berman blitz, unseated Jack Fenton in the primary.	SAFE DEMOCRATIC.
60	68%D 24%R	El Monte, La Puente	Tanner (Inc. D) Velasco (R)	This district is Democratic and Hispanic. Sally Tanner should win a second term.	SAFE DEMOCRATIC.
61	42%D 50%R	San Gabriel Valley	Mountjoy (Inc. R) Smith (D)	This is the GOP heartland in Los Angeles County.	SAFE REPUBLICAN.
62	49%D 44%R	Claremont, Covina	Lancaster (Inc. R) Miller (D)	After two tough races, Bill Lancaster should be able to coast.	SAFE REPUBLICAN.
63	61%D 31%R	Downey, Norwalk	Young (Inc. D) Brandes (R)	Bruce Young is considered a "floater" in the Berman-McCarthy contest.	SAFE DEMOCRATIC.
64	49%D 43%R	Whittier, La Mirada	Stirling (Inc. R) Juric (D)	This district is more Republican than the registration statistics.	SAFE REPUBLICAN.
65	52%D 38%R	Pomona, Ontario	Bader (R) Cramer (D)	This marginal district is the scene of one of the most rugged races of the year between San Bernardino D.A. Jim Cramer and former Pomona Mayor Charles Bader.	DOUBTFUL.
66	61%D 29%R	Urban San Bernardino	Goggin (Inc. D) Sumrall (R)	The Republican candidate received a boost when the press reported the connection between a bill introduced by Terry Goggin and benefits to a friend of the assemblyman.	LEANS DEMOCRATIC.
67	46%D 44%R	Rural Riverside, San Bernardino	Leonard (Inc. R) Gunn (D)	Republicans always win this seat.	SAFE REPUBLICAN.
68	54%D 33%R	Urban Riverside	Ingalls (Inc. D) King-Jeffers (R)	If the GOP sends plenty of money into the district in the closing weeks, the race could get tight.	LEANS DEMOCRATIC.
69	46%D 43%R	Fullerton, Anaheim	Johnson (Inc. R) Thierbach (D)	Mickey Mouse votes Republican.	SAFE REPUBLICAN.
70	39%D 50%R	Orange, Tustin	Lewis (R) O'Rourke (D)	Businessman John Lewis of Yorba Linda won a ticket to Sacramento in the primary.	SAFE REPUBLICAN.
71	53%D 36%R	Garden Grove, Westminster	Wray (Inc. D) Allen (R)	It will take a bundle to save Chet Wray in his rematch with Doris Allen.	DOUBTFUL.
72	51%D 36%R	Santa Ana	Robinson (Inc. D) Silva (R)	Richard Robinson shows surprising strength for an Orange County Democrat. His opponent, Raoul Silva, is trying to make abortion the key issue.	SAFE DEMOCRATIC.
73	44%D 42%R	Huntington Beach	Mangers (Inc. D) Frizzelle (F)	This is perilous ground for any Democrat, and the question is how long Dennis Mangers can make personal popularity last.	DOUBTFUL.
74	34%D 54%R	Newport Beach	Bergeson (Inc. R) Baldwin (D)	A Democrat once won this seat. It won't happen again for many, many years.	SAFE REPUBLICAN.
75	47%D 43%R	Palm Springs, desert area	Kelley (Inc. R) Gill (D)	The Democrats seem to have given up hope of regaining this seat.	SAFE REPUBLICAN.
76	39%D 46%R	La Jolla, Del Mar	Frazee (Inc. R) Becker (D)	This is a heavily populated district loaded with Republicans.	SAFE REPUBLICAN.
77	45%D 41%R	La Mesa, El Cajon	Stirling (R) Nagel (D)	With this district solidifying for the GOP in recent years, La Mesa councilman Fred Nagel shouldn't be able to beat San Diego councilman Larry Stirling.	LEANS REPUBLICAN.
78	48%D 35%R	Mission Hills, Linda Vista	Kapiloff (Inc. D) Tharp (R)	Larry Kapiloff always has to work hard to win in this marginal district. His job looked especially tough this year with Superior Judge Ross Tharp as an opponent. Then came the news stories alleging that Kapiloff used undue influence on behalf of law clients.	DOUBTFUL.
79	58%D 23%R	Central San Diego	Chacon (Inc. D) Bailey (R)	This is the safest Democratic seat in San Diego County.	SAFE DEMOCRATIC.
80	52%D 33%R	Chula Vista, National City	Deddeh (Inc. D) Green (R)	Wadie Deddeh is being underused in the Assembly. The Baghdad native ought to be using his charms to reduce tension in the Middle East.	SAFE DEMOCRATIC.

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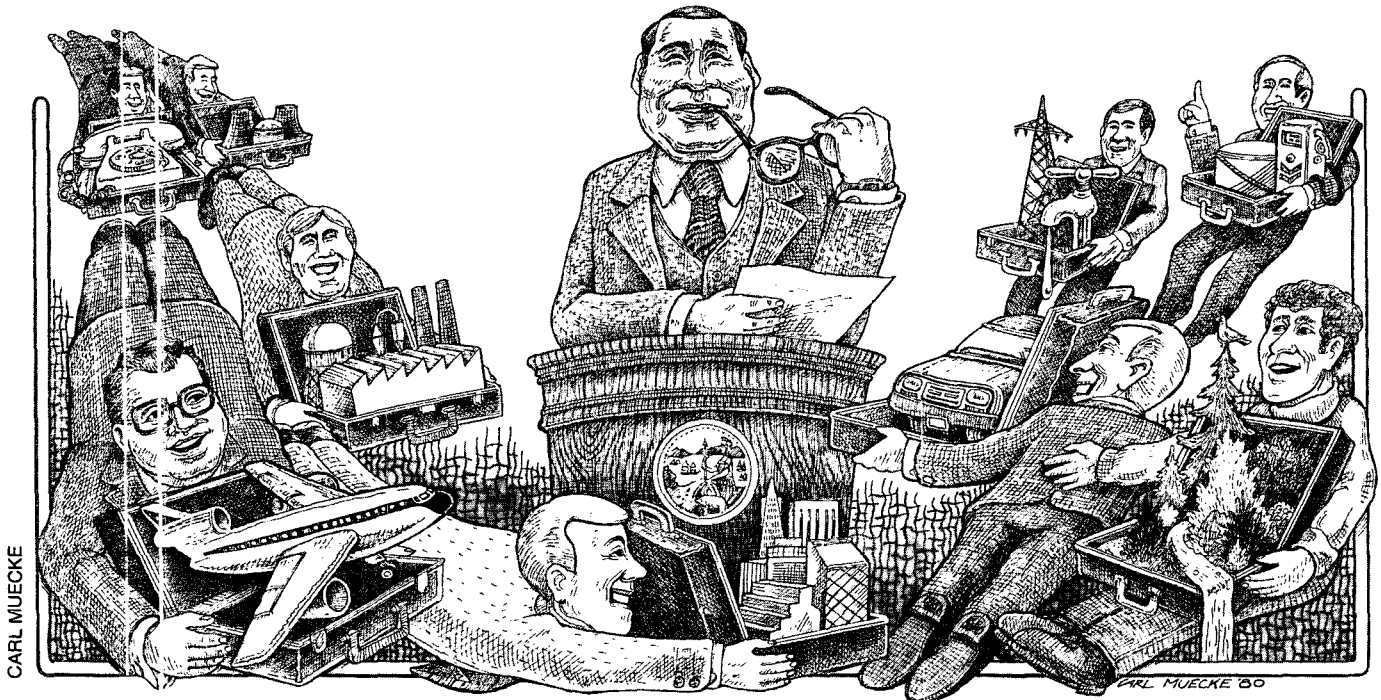
The new breed of Sacramento lobbyist

By KERRY DRAGER



If the ghost of Arthur H. Samish returned to Sacramento today, he would be surprised to see how some things have changed — and amused to learn that many others haven't changed at all.

During Samish's long reign as king of the lobbyists, few bills passed through the Legislature without his approval. He referred to himself as "governor of the Legislature" and won national notoriety in 1949 when *Collier's* magazine featured his portly form on its cover with the headline, "The Secret Boss of California." Samish was pictured as a ventriloquist with a dummy on his knee — and the dummy was labeled "Mr. Legislature."

Today, Samish would find the venerable Senator Hotel, where he held court and staged lavish buffets for politicians, closed to the public. Legislators are considering its purchase as office space for their staffs of aides and consultants.

Lobbyists who used to provide lawmakers with free dinners, drinks, vacations and other perquisites now must restrict their personal gestures of appreciation to limits set by law — and then report them in detailed forms. The old backslapping, party-giving image of the influence peddlers has given way to a new breed of lobbyists: younger, better-educated, more business-like in approach and more subtle in tactics. Some firms have hired minorities and women, although most lobbyists are white and male. They wear three-piece suits instead of suspenders and straw hats. Their briefcases probably contain statistical reports, not cash or little black books with telephone numbers.

Yet if laws and techniques have changed, the end results have not. Most legislation still bears the heavy imprint of vested interests that are well represented in the Capitol by highly paid, competent and politically savvy advocates. In fact, some observers are convinced that the lobbyists' Third House is more influential today than ever before, despite three decades of legislative reorganization and political reform.

Mixed results of reform

The "new look" in political advocacy began to develop after the Samish revelations, when new laws required lobbyists to register and to identify their clients. Then in the 1960s, the so-called professionalization of the Legislature gave larger staffs to lawmakers as an alternate and independent source of information on issues. While Jesse Unruh was speaker of the Assembly, he acted as something of a middleman between lobbyists and legislators, passing through those influences he approved of and protecting lawmakers from those he didn't.

But the biggest change came with Proposition 9, the post-Watergate Political Reform Act of 1974. It prohibited a lawmaker from taking more than $10 a month from a lobbyist; prevented (temporarily) advocates from giving or arranging campaign donations; and established the Fair Political Practices Commission (FPPC) to oversee the law.

The results have been mixed. While blatant payoffs are

Kerry Drager is a free-lance writer in Sacramento and a frequent contributor to the Journal.

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passé, special interests seem to have as much or more money and clout as they did before the Political Reform Act. One legislator-turned-lobbyist, former Assemblyman John Quimby, puts it this way: "Lobbyists affect legislation on behalf of their clients with more frequency today than pre-Proposition 9. The people of California professionalized lobbying and made it more effective."

The current session appears to prove Quimby's point. It has been especially rewarding for business lobbyists due, in part, to the weakened speakership in the Assembly, a decline in influence among public interest groups, a conservative mood in the Legislature and the election-year scramble for campaign donations.

To get their views presented, business groups are hiring many of the best legislative advocates that money can buy. These lobbyists insist that they operate, for the most part, with facts, figures and persuasive arguments. Money matters are generally left to lobbyists' employers, who funnel funds quite legally to legislators through a growing variety of political action committees (PACs). Obviously it is difficult to distinguish the line between the influence of the lobbyists' arguments and the influence of the funds distributed by the interests they represent. But in 1979, special interests spent $27.8 million to lobby state government, according to FPPC reports. And $10.5 million of that figure, or 38 percent, came from private business groups. In the first quarter of 1980, nearly $8 million was spent by all interests, an increase of 13 percent over 1979. Of that 1980 total, $2.9 million (37.6 percent) was paid out by business. No other interest came close.

From their perspective, lobbyists perceive an important distinction between the old and new worlds of advocacy tactics. "I hear people talk about buying votes and that sort of thing," says lobbyist Michael Arnold of the California Medical Association. "But if you're a professional lobbyist and if you're going to be around Sacramento a long time, you simply would not engage in those activities. Maybe 20 or 30 years ago, yes — but not now."

Another lobbyist, Dugald Gillies, represents the powerful California Association of Realtors. Known for his expertise on bill details, Gillies calls preparation the advocate's most important virtue. "You can't wing it," he says. "You have to do your homework." And, he adds, a lobbyist must be somewhat of a problem-solver. "Legislators expect that you try to be constructive and objective — and to help them reach solutions."

But there is more to Gillies' act than homework. He represents a client that, in 1979 and the first three months of 1980, spent nearly $275,000 to lobby state government. He also works for a group which has thousands of members and a good communications system.

"When they (Realtors) really get interested in a bill," says Senator Nicholas C. Petris, "they'll send an army of people up here. So the legislators, in talking to an intermediary like Gillies, are talking to constituents . . . There's no more effective way for a group to campaign than to bring voters from within the district who are known to the legislator and are influential in their community."

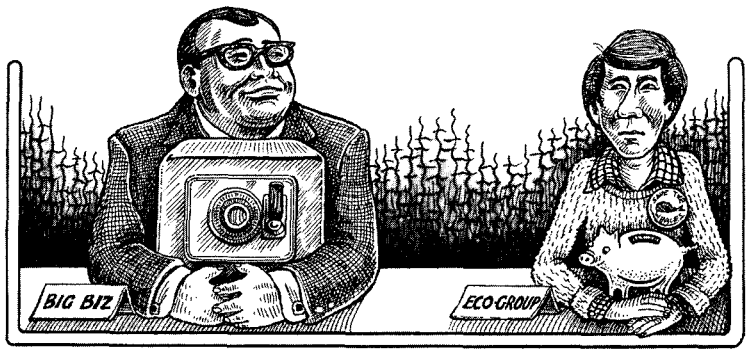
Access and trust

One big winner this session was Dennis E. Carpenter, a former Republican state senator who successfully lobbied for the Peripheral Canal Bill, SB 200. Carpenter says that expertise and understanding of the political process are important, but that the most crucial factor is access to legislators. That, he admits, is where he as an ex-senator has the edge on many of his lobbying colleagues.

"I think legislators look at a former member as somebody they want to talk to — someone whom they trust to protect confidences and not to use information to beat them over the head politically," Carpenter says. "And I think they feel a former member understands that sensitivity better than perhaps somebody else."

Other current heavyweights include:

- **James D. Garibaldi,** another ex-legislator and former Merced judge. Garibaldi's long lobbying career and past experience in the Assembly have produced a unique relationship with legislators. Garibaldi, who represents horse racing, liquor industry and other business interests, once said: "There are no great lobbyists; there are lobbyists with great friends across the street (in the Capitol)."
- **Donald Kent BrOwn,** whose clients include companies once owned by the late Howard Hughes. BrOwn (who insists on the uncommon capitalization of a common name) has long been referred to as the "last of the lobbyists" because of his reputed high-pressure lobbying techniques. Yet he is rarely seen in the Capitol, almost never appears before committees and seldom speaks to the press. Quimby, a former BrOwn associate, disagrees with the old-time image of



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BrOwn. "He's a fairly new phenomenon; he's not someone we reminisce about. He's ethical and meticulous about filling out all the reports. But he is making vast sums of money under Proposition 9." Would Quimby, though, call Donald BrOwn a hard-sell lobbyist? "I would say so," he acknowledges, "yes."

Picking up the tab

At least in theory, the Political Reform Act requires that lobbyists discuss their clients' causes only on the merits of the legislation rather than in terms of checkbook politics. Before 1974, legislators drank and dined at certain Sacramento restaurants and charged the tab to any one of several lobbyists. Such costs for some lobbyists reportedly ran into thousands of dollars each month.

In those pre-reform days, Quimby recalls, each Thursday was "Moose Milk — a lavish, marvelous luncheon with lots of food, open bar and good cigars." On Tuesdays it was the Derby Club for lunch and drinks. And, on Wednesdays, the "Clam and Corral" at the Senator Hotel. All were sponsored by influential lobbyists. "Imagine opening up a big buffet and feeding and serving drinks to from 75 to 300 people," Quimby says. "You could order anything you wanted — at absolutely no obligation. You can imagine what that cost. And it was every week."

The reform act seems to have ended such wining and dining of legislators. The last Moose Milk was held the last Thursday before Proposition 9 became law. But, while it placed spending constraints on individual lobbyists, the Political Reform Act put no limit on how much their clients could spend. And many legislators, in need of ever-larger campaign war chests, began sending requests for testimonial dinner tickets to organizations that retain advocates. The employers, in turn, bought the tickets and sent their lobbyists to the dinner. The host and guest, in effect, changed roles — but the special interests still pay the tab. "You'd be astounded at how many key legislators fly out of

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here in midweek to attend their fund-raising dinners in LA," notes one Capitol observer.

According to FPPC figures, wining and dining and gift-giving expenses for 1979 totaled $114,231, a 57 percent increase over the previous year. And the FPPC's first quarterly report of 1980 shows a total of $42,839 was spent by lobbyists and their clients to entertain legislators and other top state officials. If such spending continues through 1980, it will result in a 50 percent increase over 1979.

Other methods have evolved for special-interest groups to support candidates, especially through political action committees. An FPPC report shows the number of PACs making campaign contributions to legislative candidates has doubled in the last four years, from 216 in the 1976 primary election to about 400 in 1980. Business PACs have multiplied the fastest. There are 164 such PACs today, compared to only 63 in 1976. "A system of PAC democracy," some critics call it.

In still another boost for lobbying interests, the state Supreme Court ruled last year that it was unconstitutional to ban lobbyists from making or arranging campaign contributions, as Proposition 9 first attempted to do. The court said that the provision of the Political Reform Act was not "closely tailored to any legitimate state interest in the regulation of the right to petition." Chief Justice Rose Bird issued a sharp dissent, saying, "Once again, money will be the mother's milk of politics with the third house owning the dairy."

The FPPC appealed the ruling to the U.S. Supreme Court and lost. It argued before both courts that the ban on lobbyist contributions did not infringe upon the free speech rights of lobbyists and that a "compelling public interest justified its limited intrusion into the associational rights of lobbyists." Amy Hewes of the Planning and Conservation League sees the decision as beneficial to big-business advocates: "If you're not only representing a large-moneyed interest that gives heavily to campaigns, but you have personally given into a legislator's campaign, when you come knocking on the door you can bet it's going to be opened to you."

The Institute of Governmental Advocates, a Sacramento association of lobbyists, originally filed the suit against the Political Reform Act. "We were advocating the ability of lobbyists to tell their clients to whom they ought to contribute," says Robert T. Monagan, president of the institute and of the California Manufacturers Association. "It wasn't so much a question that lobbyists individually would want to contribute. They probably would not do that anyway, except in rare instances. But it is still their constitutional right to do so if they want to."

The FPPC now requires the disclosure of campaign donations made by lobbyists or delivered by them to state candidates. However, an FPPC report shows few direct campaign contributions from advocates. In the first three months of 1980, just 10 lobbyists reported making direct donations, totaling only $1,630. Eleven lobbyists reported delivering contributions totaling $11,300 on behalf of their employers.

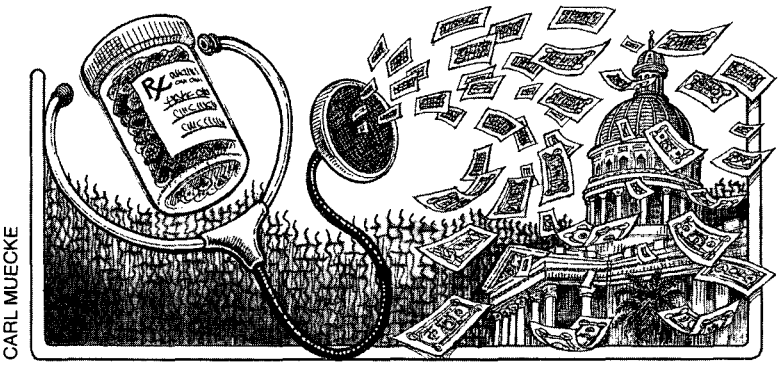
But the massive contributions from PACs provide advocates with that all-important advantage — access to lawmakers. "If you've come from a business whose PAC has given a considerable amount of money to the campaign," Hewes says, "then you certainly have access to the legislator for a 15-minute or half-hour talk over lunch or dinner. Others don't have that same kind of access."

Misleading reports

The Political Reform Act also requires both lobbyists and their clients to file periodic reports of their finances and activities with the secretary of state. The FPPC compiles the information submitted in those filings and publishes quarterly reports that list, among other data, the incomes of Sacramento's highest-ranking firms and individual lobbyists. These records, however, may be somewhat misleading. Before this year, reimbursement for expenses was listed as income. In addition, not all lobbyists report the same expenditures in the same categories.

One lobbyist, John Norwood, ranked 36th in total earnings in 1979. This year he jumped to fifth place. "This is very, very deceiving," says Norwood, who represents insurance interests. "The figures the FPPC puts out are just garbage. Everybody looks at them as income. And I think that's probably the intent — to give people the idea that special interests are running the state. But there's so much of it that's not income. I report all my overhead costs, all my office expenses. Everything."

Among the half-dozen associations of insurance agents and brokers Norwood represents, one is an "umbrella group" for the others. "Technically," he says, "I could say I'm running the association and that 50 percent of my income, or some other arbitrary figure, was my time taken in



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running the association. I wouldn't have to report that income, nor that segment of the office overhead. If you want to go through all that, fine. Some people do, because they don't want to show up on all the reports. Most of the big hitters in town aren't even on these (FPPC) lists."

The influence of business interests and their Sacramento representatives can be shown in two health planning bills that went before the Legislature this year. One was supported by the health industry (AB 314, Tucker) and the other was backed by consumer agencies and groups (AB 1050, Berman). At a second hearing in July, AB 1050 died in the Senate Health and Welfare Committee without being heard, while the industry measure passed easily through committee. One Capitol source close to the action attributes the defeat of AB 1050 to "plain big bucks — nothing more to it than that. It wasn't the conservative tide; it was money." Another Capitol observer agrees: "AB 1050 did not get a fair hearing — that's the bottom line. The public interest was not served. (Assemblyman Howard) Berman saw the realities of the situation. He didn't even try to push his own bill."

Berman, though, insists that his bill failed for a number of reasons. "It's unfair to say the senators were simply carrying out the agenda of the hospital industry," he says. "They certainly have their own views. They may be more in line with those of the hospital industry than mine are, but it doesn't mean (those views) are any less legitimately arrived at."

Nevertheless, the health industry in California has long been a big spender in Sacramento. In 1979, for example, the California Medical Association (with a PAC that strongly opposed AB 1050) spent $535,143 to influence state governmental action, according to FPPC reports. This placed the CMA second on the list of top-spending lobbyist employers. In 1977 - 78 CMA spent $1.2 million in combined lobbying and political contributions. In the first quarter of 1980, the CMA ranked fourth, spending $143,417.

And, according to a Common Cause survey released in

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April, the CMA gave $658,797 to candidates for the Legislature since 1975. The average total CMA contribution to current Assembly members was $4,192; to state senators, $3,947. In fact, all but four legislators received CMA donations. "One would have to be totally naive to believe that campaign contributions of the magnitude of those given by the CMA are not a crucial element of the CMA's lobbying strategy," says Walter Zelman of Common Cause. "It is a matter of access, of opening up doors, of being able to make your case more frequently to legislators who know you have supported them in the past and may or may not do so in the future."

CMA lobbyist Mike Arnold rejects the notion that money played an undue role in the progress of the two health planning bills. "We try to keep in office those legislators who have views which are consistent with the views of the medical profession," he says. "We help people get elected if we believe we're going to get a fair hearing from them. We never expect that someone is going to be with us 100 percent of the time."

Recent gains — and why

Many reasons are given for business's growing influence. Among them:

- **The speakership battle.** Back in the 1960s, "Big Daddy" Unruh rode herd over the Assembly, keeping legislators in line and lobbyists at bay. "A strong speaker, a speaker who has played an active role in elections and who has maintained good relationships through his own party membership in the Assembly," says would-be Speaker Berman, "has the ability to be a buffer against special-interest lobbyists and to be a force for decisions which would be opposed by particular special interests."

Unruh was just that sort of speaker. So was Leo McCarthy — until this year. Berman's bid to unseat McCarthy has resulted in a weakened Legislature that was ripe for special-interests' picking, most observers agree. "The leadership struggle in the Assembly set off a scramble for campaign money and a breakdown in discipline within the Assembly," says Alan Miller of Common Cause. "And that made individual legislators more dependent on the benefits that only well-heeled special interests can bestow — namely, campaign contributions."

At one time, a fight over the speakership would have brought members of the Third House racing to ringside. Today, at least some lobbyists profess little more than passing interest in the Berman-McCarthy duel. In fact, lobbyist S. Thomas Konovaloff says, "We've ignored it. That's an in-house problem for the Assembly."

Gillies sees the conflict somewhat differently. "Oh, it's had an effect, there's no question about that," he says. "But, from a lobbyist's standpoint, that effect could be positive or negative. If the speaker is with you on a particular issue, then a powerful speaker is great for a lobbyist. But, if the speaker is against you, having a divisive fight for the speakership is best."

- **The high cost of campaigning.** The growing use of media blitzes and sophisticated mailings requires huge campaign budgets. Underfunded public-interest groups cannot provide such warchests, but business interests can.

"Because elections are becoming outrageously expensive," says John Zierold of the Sierra Club, "business lobbyists are able to develop more cordial and congenial relationships with the legislators. They have become more effective and have much better financing than they had before. There's no way that environmental organizations are in a position to match that kind of war chest."

- **Decline of public-interest groups' influence.** The recession has hit environmental groups especially hard. Fees to join a particular organization or funds to support the group's lobbying efforts are often considered discretionary — a payment that can be dropped or trimmed when finances become tight. As a result, many organizations are competing with one another for fewer prospective members.

Yet the environmental movement has never been well-funded. According to Zierold, its members have the "good citizens' concern for environmental protection, but they don't have the money that is necessary to compete effectively with the business interests . . . The decline isn't in the environmental movement. It's in the attitude of the legislators."

- **Growing conservatism in the Legislature.** "People have been getting elected who agree with business philosophically," says Senator Petris. "It's part of the post-13 baby crop."

Is there any alternative to such big-money politics? Probably only public financing of election campaigns. Proponents of such a proposal say that it could help restore competitiveness to legislative races and help cut the financial umbilical cord between special interests and the Legislature. Common Cause's spokesman Miller says public financing of campaigns is essential to public-minded government. "By making it so incumbents and candidates have to go to private sources," he says, "you're attaching strings to that money."

But public financing has hardly proved a cure-all at the presidential level, its critics say. And regardless of its merits, the proposal is probably an impossible dream. The reason: Incumbents have a distinct advantage in fund-raising under the current system. And they already have a form of public financing in their large staffs, newsletters and access to media exposure. As a result, non-incumbents must spend big just to make a race competitive.

A bill this year by Assemblyman Gary Hart (AB 2927) that would have created a partial public-financing system of legislative general elections failed.

Not surprisingly, most lobbyists have misgivings about any plan for public financing of elections. The Realtors' Gillies says private individuals should assist in campaigns — "that's the essence of the democratic system," he says. "But contributing money is just one aspect of a way a citizen or a group of citizens can take part in the political process. You can assist a candidate by voting, by walking precincts, by licking stamps, by writing letters — or by contributing money."

A proposal by Monagan of the California Manufacturers Association would prohibit campaign giving more than six months before elections and not more than 30 days after. "I can see some value in having fund-raisers after elections to take care of deficits," Monagan says. "But there is a period of time — until people become an official candidate — that they shouldn't be involved in fund-raising, to eliminate any suggestion that contributions relate to legislative response."

FPPC Chairman Tom Houston sees no hope of such a bill being passed. "There's no chance in the world," he says. Commission studies show that nearly 60 percent of all primary election funds raised by state legislators are collected in the off-election year, Houston says. "The reason is that early fund-raising gives the incumbents a tremendous advantage over their challengers. They're all sitting there with war chests by the time their challengers even get to the starting blocks. They're not about to give that away. It would have to go through an initiative."

Until then, observers say, special interests will continue to dominate the legislative process in Sacramento. While lobbyists deal in persuasion, their clients will work behind the scenes, doling out vast amounts of completely legal campaign funds. No longer is there a Samish-style "governor of the Legislature" and all the hanky-panky of that by-gone era. But the system is still alive and well in Sacramento.

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Rising stars of the Third House

Here are some of the newer faces and firms making their mark in Sacramento's Third House:

• **Winner/Wagner & Associates:** The Sacramento office of this firm is headed by Ethan Wagner, 39, former chief of staff to ex-Assembly Speaker Bob Moretti. (Political adman Charles Winner runs the Los Angeles operation.) Wagner often is referred to as the "prototype" of the new-breed lobbyist. The firm's numerous clients include the California Home Furnishings Council, California Nevada Soft Drink Association, Wincorp Industries, Educational Testing Service, Humana, Incorporated, Searle Optical Group, Coalition of Apparel Industries in California and State Bar of California. In 1979 those clients and others paid Winner/Wagner $332,310, fourth among Sacramento lobbying firms. For the first quarter of 1980, Winner/Wagner ranked third, taking in $114,232.

• **Cristina L. Rose:** Among Winner/Wagner's rising stars is Cristina Rose, one of the highest paid women in the Capitol lobbying scene. (She earned $40,704 last year.) Rose has been with the firm for nearly five years. Prior to that, Rose, 33, lobbied several years for the state Department of Consumer Affairs, mostly during the pre-Political Reform Act days. Of being a woman in an almost exclusively male world, Rose says, "It's a small group of people around here. Everyone knows each other rather well. So once you've been lobbying for awhile, it's almost like you're one of the guys."

• **Robert Garcia:** Also with Winner/Wagner Bob Garcia, 34, is a former legislative assistant to ex-Speaker Moretti and one-time aide to then-Assemblyman Joseph Montoya, now a state senator. Garcia, a Mexican-American, is one of the few minorities in the Third House. A lawyer as well, Garcia has been a lobbyist for three and a half years and made $30,490 in 1979.

• **A-K Associates:** J. Michael Allen, 36, and S. Thomas Konovaloff, 46, head A-K Associates, which they formed eight years ago. Last year, the firm ranked third, taking in $356,446. In the first quarter of 1980, A-K rose to first, bringing in $131,988. Among A-K Associates' clients are California Association of Tobacco and Candy Distributors, California Rice Industry Committee, California Society of Pathologists, California Radiological Society, California Dental Service, Golden Gate Bridge, Highway and Transportation District, Continental Telephone Company of California, California Condominium Conversion Industry and the Occupational Therapy Association of California.

• **Bill Dohring:** One of A-K Associates' top young lobbyists, Dohring is a former golf pro at Sacramento's Haggin Oaks golf course and a former Marine. Dohring, 29, became a lobbyist about three years ago after meeting A-K partners Allen and Konovaloff at the links. Although a post-Proposition 9 lobbyist, Dohring is aware of the stereotyped image of the old-time advocate. "I don't have $100 bills hanging out of my back pockets," he says. "I rely on information."

• **Dennis E. Carpenter:** Carpenter abandoned his state Senate seat in 1979 and, in the first three months of 1980, received total payments of $35,000, mainly for his Peripheral Canal efforts. He is 10th on the Fair Political Practices Commission's list of individual lobbyists' incomes. Carpenter's clients include Californians for Water, Newhall Land and Farming Company, Irvine Company and the National Coalition for Marine Conservation (Pacific Region).

• **John Norwood:** In 1979, Norwood ranked 36th in total earnings among Sacramento lobbyists; with income of $66,840. For the first quarter of 1980, Norwood made it to the FPPC's top 10, finishing fifth with $39,641. Before becoming a lobbyist in 1974, Norwood, 29, worked for California Research. His first lobbying job was with the California Manufacturers Association. Norwood, a recent law school graduate, represents a half-dozen associations of insurance agents and brokers, including the Independent Insurance Agents Association of California, Western Association of Insurance Brokers and Insurance Brokers Society of Southern California. In addition, Norwood has recently added several more clients: the California Association of Rehabilitation Professionals, Business Labor Coalition, and the California Hotel and Motel Association.

• **John Quimby:** A former assemblyman, Quimby formerly worked for Advocation, Incorporated, headed by Donald Kent BrOwn. He now heads his own firm, Quimby and Associates. His clients include Associated Builders and Contractors of California, Robert Wood and Associates, Countryside Homes, National Association of Alcoholism Treatment Programs, Industry Urban Development Agency and Chiropractic Action Corporation.

–K.D.

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They who speak for Edsels, Girl Scouts, bar pilots, Dodgers, juke boxes, racing mules and...

By GEORGE THURLOW

Both the San Francisco Giants and the Los Angeles Dodgers share theirs with the National Football League. The Girl Scouts pay theirs $1,000 a month but the Boy Scouts apparently have no need for one. Juke box owners, Edsel owners and press photographers have use for them at one time or another.

These are the "little-guy" lobbyists who often represent a rainbow of special interests, pushing a bill for a fish farm one day and for air conditioning installers the next.

They have neither the influence nor the political campaign funds to have major impact on California politics. But the small-client Sacramento lobbyists get the job done, inserting language in certain bills, forcing delays in others.

John L. McLaughlin is typical of such lobbyists. A retired state Department of Motor Vehicles deputy director, he specializes in motor vehicle legislation. With changes in the motor vehicle laws of California filling a 75-page book each year, McLaughlin is often called upon to interpret, make, modify or oppose those laws.

For clients varied as Edsel owners and press photographers, McLaughlin works the halls of the Capitol to influence motor vehicle legislation. In the case of the Association of California Car Clubs, which includes auto enthusiasts driving everything from Model Ts to hot rods, McLaughlin has worked to exempt antique and specialty cars from new car restrictions, particularly smog and safety equipment.

His style? "I go into a legislator's office and say I'm from the Car Association," he explains. "They may stop me and say, 'That 1933 car I had was the best car I ever had.' I just stop right there. I've got my point across."

For the press photographers, McLaughlin lobbied to save the special PP license plate issued to working press photographers. When legislation was pending to "sunset" the special license plates, McLaughlin convinced the Legislature to delete the sunset language.

"I helped write much of the motor vehicle law," McLaughlin says. "I wrote the law so confusing sometimes that nobody could understand it except me."

Big-league lobbying

If car enthusiasts and their clubs go to McLaughlin, who do the big league clubs of baseball, football and basketball turn to in Sacramento? Their man, and the man who handles more sports teams than any other lobbyist in the "Third House," is Houston B. (Pete) Sandford.

Most teams have very common political interests, Sandford says, including stadium taxes and bills regulating how a team can leave its franchise city. On behalf of the National Football League, Sandford is lobbying against a bill which would put all professional sports teams under the regulatory arm of the State Athletic Commission. That commission would have the final say in whether a team could leave its host city for greener playing fields.

"If a team wanted to leave," Sandford explains, "it would have to be replaced by another team." Originally the bill was authored to put a team in the Los Angeles Memorial Coliseum after the Rams decided to head for Anaheim. "Teams like the Dodgers and Giants could be affected by the precedent, so they are opposing it too," Sandford says. It was Walter O'Malley, the late Dodger owner, who got Sandford into the sports lobbying business. He still represents the Dodgers and their West Coast foes, the San Francisco Giants.

Sandford keeps his legislators' preferences in mind when he makes his lobbying rounds. "Some are more baseball

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George Thurlow is a reporter for the Woodland Daily Democrat.

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oriented than football oriented," he observes. "Some are Dodger fans, some are Angel fans." Like many of the lobbyists for "little guys" in Sacramento, Sandford takes a number of clients. When he is not talking sports with legislators, he might be talking about the problems of the Electric Sign Association or the City of Pasadena. While having a number of small clients can sometimes "scatter you," Sandford prefers that to being a self-employed lobbyist with one big client. It's sink or swim in that case, Sandford says. And more than a few struggling lobbyists have sunk when their big clients move on to new lobbyists.

While Sandford has built his independent lobbying business around a sports client core, the father-son team of Anthony and Joe Gonsalves serve a number of small Los Angeles County cities, including one with the dreamy name of Hawaiian Gardens.

"We represent five cities in the same area," explains son Anthony. "We do things for those cities the League of California Cities (lobbyists) can't do."

Hawaiian Gardens, in Los Angeles County, needs lobbyists because the entire city is in a redevelopment area, Gonsalves says. To receive federal redevelopment money, state agencies must give approval. The senior Gonsalves can draw on his contacts made during 12 years in the Assembly representing the same area he now serves as a lobbyist.

Another example of the swinging door between lobbyist and legislator is Gordon Garland, who served as speaker of the Assembly, head of the DMV, and later a top officer in the California Highway Patrol. Now he represents a host of small clients, including the Music Merchants Association, the people who put juke boxes in restaurants and taverns.

His main job, Garland says bluntly, is to stop "unfair taxation and regulation" on juke boxes. When asked to cite specific examples of such legislation, he responds, "The bill room is full of them."

Serving 30 clients

Sacramento attorney James Reed has only one client and quite frankly says he does not want any more. "I don't enjoy lobbying except for the group I represent legally," he says. That group is the San Francisco Bar Pilots, the 30 men who guide large freighters and other ships from the open ocean to the docks and ports of the San Francisco Bay.

What do 30 ship pilots need with an attorney lobbying in Sacramento? The answer goes back to the 1860s, Reed says. In one of the first pieces of legislation served up in Sacramento, the pilots who guided the commercial vessels around Alcatraz and into San Francisco Bay were placed under the direct regulatory control of the Legislature. To this day, the California Legislature sets maximum pilot fees and regulates the number of pilots licensed. Even with only 30 constituents, Reed says there are very few problems getting in to see legislators "because it's so local an issue. I only talk to Bay Area legislators. Legislators from other parts of the state are likely to acquiesce (to them)."

If there were such a thing as a "perfect client," one with no image problems, that client is probably the one represented by lobbyists Pamela Williams and Catherine Sizemore. Last September, the Girl Scouts Council of California decided they too needed a lobbying voice in Sacramento and hired Williams and Sizemore for $1,000 a month. The reason? Money. Last year, according to Williams, a bill passed the Legislature which abolished minimum wage exemptions for summer camp counselors. That bill, says Williams, may cost the Girl Scouts of California $300,000 in higher wages for summer-camp help.

Williams admits the Girl Scouts are an easy client because "everybody knows them and they're well respected." And like some bigger and better organized special interests, the local troops "are willing to contact the local legislators."

The $1,000 a month fee charged the Girl Scouts is the norm for small clients who want occasional advocacy and frequent legislative news updates. According to Williams, $250 a month is just about the minimum a client can pay for lobbyist services. That fee might buy a regular political newsletter, arrangements of meetings with legislators or state bureaucrats and liaison services with other political groups. If an interest wants a bill introduced and passed, the lobbying fees can be much greater. For a "clean-up" bill which only amends existing laws or for a single small piece of legislation with limited impact, a flat fee of $1,000 would not be uncommon, Williams says. "It goes up from there, all the way up."

Potatoes and gravy

Lobbyists' charges range from small potatoes to real gravy. At one end of the spectrum, Sizemore reported collecting $111 from a Sacramento pool cleaning firm for legislative services in 1979. Eastern Sierra Tri-County Fair, in Bishop, reported paying lobbyist P. V. Voorhees $107 for lobbying during an eight-month period in 1979. The fair wanted legislative advocacy on behalf of pari-mutuel mule racing, according to a Fair Political Practices Commission report. At the other end of the spectrum, Mobil Oil spent $129,994 in 1979 for Sacramento lobbyists. One, Robert E. Shaw, collected $84,795 from Mobil, according to the FPPC.

More than 600 registered lobbyists represent 1,000 clients, and there is a paid voice for almost every organized group or special interest in the state. Just about the only group without a paid voice in the Capitol may be the small-client lobbyists themselves.

Newsmakers

Howard didn't do it

The Republican State Central Committee was fined $14,000 by the state Fair Political Practices Commission for falsely identifying **Howard Jarvis** as the source of 1.2 million pieces of mail distributed on behalf of GOP candidates two years ago . . . The FPPC also fined **Robert H. Newdoll,** a member of a regional coastal commission, $7,000 for 31 violations of the state's financial disclosure law. Newdoll is a councilman in Grover City (San Luis Obispo County).

The state Commission on Judicial Performance recommended the censure of Superior Court Judge **Robert S. Stevens** of Los Angeles for making sexually explicit telephone calls to his former secretary in Sacramento . . . Under pressure from the White House, **Herman Sillas** resigned as U.S. attorney based in Sacramento . . . The Brown Administration indicated an intention to replace **Wesley J. Kinder** as insurance commissioner, but Kinder has refused to resign . . . Los Angeles City Councilman **Bob Ronka** announced that he will run for city attorney next year.

Gubernatorial appointments: **Raymond C. Brown** from a member to chairman of the Board of Prison Terms; **Gary E. Strong,** deputy director of the Washington State Library, as state librarian; **Cari Beauchamp,** national ERA director for the National Women's Political Caucus, as press secretary.

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The Rating Game

LEGISLATIVE BREAKTHROUGH FOR FORCES OF LAW AND ORDER

By Maryellen Burns and Joan Reiss

The conservative trend in the 1979-80 Legislature has been turned into a gold strike by the forces of law and order. Among seven special-interest organizations compiling voting profiles for the 1979 Legislature, by far the biggest gains were made by the California Peace Officers Association (CPOA). Over the years, the CPOA has sought laws identifying additional crimes and increasing penalties. After years of frustration, law enforcement officials apparently won over Assembly members who had previously voted with the civil libertarians. Over a five-year period, the average CPOA grade for the Assembly leaped from 33 to 85 percent. This marked the first time that the Assembly score exceeded that of the more conservative Senate (67 percent).

Since the Legislature was apparently so friendly to law enforcement, it might be assumed that 1979 would also be a banner year for the Police Officers Research Association of California (PORAC). But that was not the case. PORAC is less concerned with crime and punishment than with benefits for police officers. The indication is that legislators are now more willing to increase prison sentences than to provide increased benefits for police officers during tight budgetary times.

During the mid-1970s, environmentalists enjoyed their greatest legislative success. But there is evidence of a new posture toward ecology issues in the Legislature. Ratings from the League of Conservation Voters (LCV) in 1979 were the lowest in five years. By comparison, labor grades have remained constant, as indicated by evaluations by the California Labor Federation, AFL-CIO (CLF).

Two organizations concerned with education — the California State Student Assoication (CSSA) and the California Teachers Association (CTA) are included in the tabulations. Most legislators received similar ratings from these organizations.

The seven special-interest groups and a brief description of the bills included in their ratings:

- **Police Officers Research Association of California (PORAC)** — 52 Senate and 60 Assembly measures pertaining to a wide range of labor issues including compensation benefits, as well as police rights and safety.

Maryellen Burns is a free-lance writer in Sacramento. Joan Reiss, who has compiled the "rating game" for several years, is the former head of Legislative Birdwatchers.

Senate	PORAC	CPOA	CSSA	CTA	LCV	CFB	CLF
Alquist (D)	48	38	60	73	36	56	74
Ayala (D)	48	76	80	73	52	67	79
Beverly (R)	52	67	100	82	57	89	68
Briggs (R)	35	81	60	64	0	89	53
Campbell (R)	52	52	80	78	52	89	37
Carpenter (D)	55	74	100	73	41	33	79
Craven (R)	47	74	80	70	38	78	37
Cusanovich (R)	30	81	80	82	33	78	58
Dills (D)	68	62	40	100	36	22	74
Foran (D)	42	67	80	73	59	44	64
Garamendi (D)	52	57	40	90	83	89	64
Garcia, A. (D)	52	48	100	100	57	44	85
Garcia, M. (R)	40	81	60	64	26	78	32
Greene (D)	47	21	80	64	73	11	58
Holmdahl (D)	36	67	80	55	33	44	47
Johnson (R)	45	95	80	73	41	100	58
Keene (D)	62	62	100	73	57	33	68
Maddy (R)	25	*	40	*	*	33	57
Marks (R)	51	67	80	100	80	33	58
Mills (D)	53	57	60	73	76	33	42
Montoya (D)	34	48	80	78	48	33	79
Nejedly (R)	27	*	40	*	*	*	*
Nielsen (R)	54	86	100	82	35	100	58
Nimmo (R)	33	86	20	45	17	100	37
Petris (D)	50	52	60	64	81	33	85
Presley (D)	65	100	80	90	70	56	74
Rains (D)	48	52	80	82	86	89	58
Richardson (R)	26	62	40	36	29	89	21
Robbins (D)	54	43	20	70	29	78	53
Roberti (D)	63	74	100	91	76	44	74
Rodda (D)	44	74	100	82	65	44	64
Russell (R)	40	76	60	64	11	78	21
Schmitz (R)	43	74	40	45	0	89	16
Sieroty (D)	46	76	100	91	95	22	64
Smith (D)	44	81	100	78	87	44	53
Speraw (R)	43	74	60	64	23	78	53
Stiern (D)	41	67	20	73	68	89	47
Vuich (D)	54	81	100	82	45	78	53
Watson (D)	51	62	100	82	78	33	85
Wilson (D)	54	57	60	91	27	56	53
AVERAGE	46	67	71	75	50	63	57

**Insufficient votes for scoring*

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• **California Peace Officers Association (CPOA)** — 21 Senate and 34 Assembly bills stressing extended sentencing; aid to local law enforcement and funds for new prisons.

• **California State Student Association (CSSA)** — 6 Seante and 6 Assembly votes ranging from child care and housing to financial aid.

• **California Teachers Association (CTA)** — 11 Senate and 12 Assembly issues covering such areas as school financing, violence, vandalism and labor relations.

• **League of Conservation Voters (LCV)** — 23 Senate and 16 Assembly votes on environmental issues.

• **California Farm Bureau (CFB)** — 9 Senate and 7 Assembly items of concern to agriculture.

• **California Labor Federation, AFL-CIO (CLF)** — 19 Senate and 16 Assembly bills concentrating on insurance compensation, pregnancy benefits and labor relations.

How they were compiled

Scores of all organizations were not tabulated in the same manner. Three organizations, (PORAC, CSSA and LCV) calculated their own percentages. For the remaining four groups, the votes cast in favor of an organization's position were divided by the total number of opportunities to vote. An absence was considered a negative vote because it takes a specified number of votes to move a bill forward.

It should be emphasized that these ratings only give a general picture of a legislator's voting record. They are not absolutes because of the imperfections in the methods of tabulations, the omission of some issues and the selectivity of the bill-rating process.

Assembly	PORAC	CPOA	CSSA	CTA	LCV	CFB	CLF
Agnos (D)	74	71	83	75	94	57	88
Alatorre (D)	67	71	83	92	93	43	88
Bane (D)	64	86	83	58	69	57	56
Bannai (R)	61	100	66	67	31	86	56
Bates (D)	77	79	100	75	100	29	88
Bergeson (R)	66	100	66	58	62	86	38
Berman (D)	72	71	100	58	94	43	81
Boatwright (D)	70	86	66	67	69	57	68
Bosco (D)	71	86	100	75	60	71	75
Brown, D. (R)	60	100	50	42	13	86	31
Brown, W. (D)	56	50	100	64	82	43	68
Calvo (D)	69	86	83	67	100	43	88
Chacon (D)	55	71	100	67	88	29	88
Chappie (R)	54	57	0	71	23	43	44
Cline (R)	62	100	33	58	21	86	50
Costa (D)	70	79	83	75	63	86	75
Deddeh (D)	68	93	66	67	88	43	94
Duffy (R)	63	93	66	60	31	86	56
Egeland (D)	73	86	66	80	94	29	81
Elder (D)	68	79	83	58	67	29	75
Ellis (R)	64	93	50	58	31	86	56
Felando (R)	52	93	66	50	25	71	56
Fenton (D)	71	71	83	75	87	43	62
Filante (R)	57	86	50	58	69	100	50
Frazee (R)	72	93	66	58	25	86	44
Gage (D)	63	71	83	75	100	57	75
Goggin (D)	41	71	66	67	100	43	88
Greene (D)	64	79	66	75	86	43	75
Hallett (R)	65	100	66	58	31	86	62
Hannigan (D)	76	86	83	91	94	71	81
Harris (D)	67	64	100	91	100	43	88
Hart (D)	64	79	83	75	100	43	75
Hayden (R)	70	93	66	75	67	29	68
Hayes (R)	52	100	66	50	25	100	68
Hughes (D)	67	79	100	67	87	29	81
Imbrecht (R)	64	100	83	67	63	86	56
Ingalls (D)	67	93	66	60	87	71	75
Ivers (R)	21	100	33	60	20	86	44
Johnson (R)	47	100	66	58	10	71	38
Kapiloff (D)	73	86	100	75	88	29	94
Kelly (R)	58	100	66	50	19	86	62
Knox (D)	55	79	83	75	75	43	81
Lancaster (R)	61	100	50	50	23	86	50
Lehman (D)	67	100	66	75	47	86	68
Leonard (R)	66	100	50	50	25	71	68
Levine (D)	63	71	100	75	100	43	88
Lockyer (D)	69	79	66	75	94	43	81
Mangers (D)	69	86	50	67	87	71	68
McAlister (D)	65	100	66	58	44	71	50
McCarthy (D)	71	86	83	73	100	57	88
McVittie (D)	60	86	50	58	67	71	68
Mello (D)	65	86	83	75	67	86	62
Moore (D)	64	64	100	67	87	43	88
Moorhead (R)	66	93	66	58	40	86	62
Mori (D)	63	50	100	70	77	71	62
Mountjoy (R)	48	100	33	50	6	86	38
Naylor (R)	64	100	50	58	53	100	56
Nestande (R)	57	93	66	73	69	29	68
Nolan (R)	48	100	66	58	9	43	44
Papan (D)	68	86	83	67	67	57	81
Perino (D)	72	100	66	67	50	86	75
Priolo (R)	52	57	66	58	46	57	62
Robinson (D)	65	86	66	67	53	71	88
Rogers (R)	54	100	33	42	8	86	68
Roos (D)	71	79	83	67	86	71	81
Rosenthal (D)	71	64	83	75	94	43	88
Ryan (R)	62	93	66	67	53	71	62
Statham (R)	64	79	66	60	31	100	56
Stirling (R)	56	100	50	64	33	71	56
Tanner (D)	77	79	83	83	69	43	94
Thurman (D)	52	79	63	63	50	86	56
Torres (D)	67	79	83	83	93	29	94
Tucker (D)	65	79	75	75	69	43	81
Vasconcellos (D)	71	71	75	75	80	43	88
Vicencia (D)	61	79	60	60	*	43	56
Waters, M. (D)	55	64	75	75	87	57	88
Waters, N. (D)	60	93	67	67	81	86	68
Wray (D)	69	79	75	75	53	43	81
Wyman (R)	53	100	50	50	19	100	50
Young (D)	67	86	73	73	75	29	62
AVERAGE	64	85	71	66	62	62	69

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Child-abuse prevention — a $100 million failure

By CYNTHIA WILLETT

DIANE BOGUSH

Last year, during the International Year of the Child, the state Legislature joined the worldwide observance by adopting a resolution stating that "freedom from abuse" is a basic right of all children. Yet child neglect and abuse are severe problems in California. Between 60,000 and 70,000 cases are reported to authorities annually; estimates of the actual incidence of child abuse range from four to 12 times higher than that.

But as disturbing as these statistics may be, the state and local systems for dealing with abuse cases constitute an almost equally great cause for concern. Each of California's 58 counties has its own way of handling child abuse — a situation that has led to wide disparity in services provided. "We don't have a statewide system for handling child abuse and neglect cases; we have 58 systems that are basically autonomous," says Michael Wald, former head of the State Advisory Committee on Child Abuse. Contributing to this autonomy has been the state's failure to set concrete guidelines for programs and to enforce minimum standards.

Many of the problems stem from the vaguely written law on mandatory reporting. Enacted in 1963 out of a growing concern over the "battered child syndrome," the law requires certain specified professionals (doctors, teachers and others) to report suspected cases of child abuse or neglect. But the law allows reports to be filed with three different agencies: the local police, the county welfare department's Child Protective Services (CPS) or the juvenile probation department. Whichever agency gets the first report must file it with the police.

And the law also fails to specify how a case should be handled after it's reported. It is unclear which agency should assume primary responsibility. As a result, police and social service agencies traditionally disagree over the way child-abuse cases should be handled. Child abuse is a crime and, particularly for the more serious forms of physical and sexual abuse, many officials want to treat it as such. The question is whether rehabilitation or criminal prosecution serves society better.

Cynthia Willett wrote "Militancy for sale" in the September 1979 Journal.

Taking precedence

The mandatory reporting law does nothing to clarify which approach, rehabilitation or punishment, should take precedence. Because of this, the system demands a high degree of cooperation between child-protection workers and law-enforcement personnel. Many counties have established interagency coordinating councils to promote information-sharing and consistency in process. But there are still several counties without such councils.

Legislative efforts to correct some of the reporting law's deficiencies so far have failed. Yet the law can't be blamed for all of the system's shortcomings. Even in the Legislature, the social-service and law-enforcement aspects of the child-abuse problem are handled separately. "Bills can only be assigned to one committee, but the budgets for social services and law enforcement are in different committees," says Elizabeth Berger, spokeswoman for the California Children's Lobby. "This makes it really difficult to address the subject."

Furthermore, Berger says that the state Office of Child Abuse Prevention (OCAP) "hasn't brought these people together as much as is necessary." Sharrell Blakeley, former chief of OCAP and state Child Protective Services, agrees that "OCAP should take a more aggressive role in defining services."

Established in 1977 as a state response to the federal Child Abuse Prevention and Treatment Act of 1974, OCAP has funded a few special demonstration projects and provided information to counties and state officials. Unfortunately, giving money to a San Jose program specializing in the treatment of incest does little to contribute to the goal of standardized, effective services.

OCAP staff members say limited funds are the key problem. Out of an annual budget of $576,000, about $200,000 finances pilot projects, and most of the rest goes for salaries for 10 staff

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members. They would like more funds to develop minimum standards for local programs and to train county child-abuse personnel. Al Colon, OCAP chief (the fourth in a year), reported that funds are dwindling and he is emphasizing prevention of sexual abuse.

At the county level, child-protection workers also complain about inadequate funds and staffing, which they say create extremely heavy caseloads. Most CPS workers carry 50 to 60 cases at one time; ideally, no more than 15 to 20 cases should be handled by a single worker, according to OCAP's Blakeley.

Little improvement

Few studies have tested the effectiveness of current child-abuse casework. Those that have been done, however, demonstrate little improvement in keeping parents from further abusing their children — despite the $100 million appropriated to the state's CPS agencies each year. Experts in the field point to heavy caseloads to explain the low improvement rate. They claim that 80 to 90 percent of parents who abuse or neglect their children could be rehabilitated if better services were available.

Naturally, better services translate into more money, and most child-abuse workers realize it's not easy to squeeze more dollars from increasingly tight-fisted legislators. "The political climate is one that says human service dollars are in question," stresses Blakeley.

Because of this, experts in the field are urging new emphasis on proving the value of current child-abuse programs. "Limited resources should be used realistically," says Wald, the advisory committee's former director. "Less serious cases such as neglect just can't be the focus of the system until we get the resources to deal with them. I'm not saying that these less serious cases shouldn't be helped, but I think we've got to be realistic in terms of our present resources."

If counties could show successful rehabilitation statistics in their current programs, legislators might be more amenable to doling out more funds. So far, though, they haven't been able to. There has been little state evaluation of programs to determine which types of services are effective and which aren't.

Investigating and treating child abuse and neglect aren't cheap programs. In addition to the $100 million that goes to CPS each year, the state spends about $188 million in annual foster-care payments. Nearly half of the children placed in foster homes are there due to neglect, and experts aren't convinced this is always the best answer. "Children should be kept in their present living situations whenever humanly possible," says Ples Fisher, of Sacramento CPS.

Yet in almost every county, authorities rely heavily on foster-care placement. And once children are into the foster-care system, they are liable to remain there. Few efforts are made to reduce the number of children in foster homes, either by reuniting them with their parents or by adoption. This contributes to the high cost of foster care.

A first step

When it has focused its efforts on achieving standardized services, OCAP has made some headway. On OCAP's recommendation, Governor Jerry Brown appropriated $8 million in this year's budget to continue a 24-hour CPS response system in each county. OCAP sees this as a first step toward some uniformity in the way counties handle abuse cases.

But the conflict between law enforcement and social services won't be resolved easily. Many of the counties' agencies will continue to disagree philosophically and practically over ways to deal with child abuse. Until coordination occurs at both the state and local levels, the system will remain in its present ineffective and inefficient state.

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Calling Carter chicken

The Legislature ended its 1979-80 session at the end of August by playing a game of chicken with the Carter Administration. The federal Environmental Protection Agency had given the state a September 1st deadline for the passage of a vehicle-inspection program for the state's six smog basins. But lawmakers, caught in a dispute over details of the program and fearing voter reaction in November, rejected all bills that would have met the federal requirements. Governor Jerry Brown indicated he might call a special session of the Legislature immediately following the election so that the issue could be resolved. Meanwhile, it was not clear whether the Carter Administration would follow through on its threat to withhold $850 million in highway and sewer funds from the state just a few weeks before the presidential election.

The Legislature's failure to act was probably a fitting end to a session marked more by paralysis than progress. Lawmakers were hampered in their efforts to enact major bills by the Berman-McCarthy speakership feud in the Assembly, by Governor Brown's absenteeism, by the possibility that voters would approve Proposition 9 last June and by the Senate budget blockade.

The traditional end-of-August crunch produced two major victories for Brown. His vetoes were upheld on bills authorizing flexible-rate mortgages and establishing a permanent cost-of-living indexing factor in the state income tax structure. He was defeated, however, in an attempt to pass a water-conservation and groundwater-management measure as a companion to the Peripheral Canal bill enacted earlier in the year. Brown may call a special election next year for the referendum on the canal, should it qualify for the ballot. In that case, an initiative drastically cutting state inheritance taxes would also appear on that ballot.

Bills passed by the Legislature in the final flurry would:

- Increase interest rates charged by retailers from 18 to 19.2 percent a year.
- Provide a 40-percent income-tax credit for those who install home energy-saving devices.
- Legalize the use of laetrile for the treatment of cancer under limited circumstances.
- Pave the way for the possible signing of a new Tahoe region compact between California and Nevada.
- Prevent the automatic rebate of tax receipts under provisions of the "Spirit of 13" initiative.
- Increase disability insurance benefits from a maximum of $154 to $175 a week.
- Abolish the odd-even gasoline-purchase plan.

In the final hours, lawmakers also passed a low-profile bill that could make it more difficult to qualify initiatives and prohibit prosecutors running for judgeships to use their job titles on the ballot. Brown was under pressure to veto the bill. And rules committee chairman Lou Papan announced that the practice of vote switching will no longer be allowed in the Assembly.

Senate (23D,17R)	AB 1131	SB 584	AB 2750	AB 1426	AB 1981	AB 224	AB 1323	AB 2463	AB 2730	AB 3197
Alquist (D)	Y	Y	Y	N	N	N	N	Y	Y	Y
Ayala (D)	Y	N	Y	Y	Y	N	N	Y	Y	Y
Beverly (R)	Y	Y	Y	N	Y	Y	Y	Y	Y	N
Briggs (R)	*	*	N	Y	Y	N	Y	N	N	N
Campbell (R)	N	Y	N	Y	Y	N	*	Y	*	N
Carpenter (D)	*	*	Y	Y	Y	Y	Y	*	Y	Y
Craven (R)	Y	Y	*	N	Y	*	Y	N	*	N
Cusanovich (R)	N	Y	*	*	N	N	*	Y	N	*
Dills (D)	Y	N	Y	Y	N	Y	Y	Y	Y	Y
Foran (D)	N	Y	Y	N	N	N	*	N	*	Y
Garamendi (D)	Y	Y	Y	Y	Y	N	Y	N	*	Y
Garcia, A. (D)	Y	N	*	*	Y	Y	*	Y	*	Y
Garcia, M. (R)	N	Y	N	N	Y	*	Y	N	N	N
Greene (D)	Y	*	Y	Y	N	Y	N	*	Y	Y
Holmdahl (D)	N	N	Y	N	Y	N	Y	N	Y	Y
Johnson (R)	N	Y	*	*	Y	N	Y	Y	N	*
Keene (D)	Y	Y	Y	Y	Y	Y	Y	*	Y	Y
Maddy (R)	Y	Y	N	Y	N	*	Y	Y	*	Y
Marks (R)	Y	N	Y	N	N	Y	N	Y	Y	Y
Mills (D)	Y	Y	Y	N	*	*	N	Y	*	Y
Montoya (D)	Y	N	Y	N	Y	N	N	*	Y	Y
Nejedly (R)	*	Y	Y	N	Y	N	N	*	Y	N
Nielsen (R)	N	Y	N	N	Y	Y	*	Y	N	N
Nimmo (R)	N	Y	N	Y	Y	N	Y	Y	Y	N
O'Keefe (R)	N	Y	N	N	N	N	Y	N	N	N
Petris (D)	Y	N	Y	Y	*	Y	N	Y	Y	Y
Presley (D)	N	*	Y	Y	Y	N	N	Y	Y	N
Rains (D)	Y	Y	Y	Y	Y	Y	*	Y	Y	Y
Richardson (R)	N	Y	*	N	Y	N	N	*	Y	N
Robbins (D)	Y	Y	Y	*	Y	*	Y	Y	Y	N
Roberti (D)	Y	N	Y	Y	Y	Y	N	Y	Y	Y
Rodda (D)	Y	*	Y	Y	Y	Y	N	Y	Y	Y
Russell (R)	N	Y	N	N	Y	N	Y	N	N	N
Schmitz (R)	N	Y	N	N	Y	N	N	N	N	N
Sieroty (D)	Y	*	Y	Y	Y	N	N	Y	Y	N
Speraw (R)	N	Y	N	Y	Y	N	Y	N	N	N
Stiern (D)	Y	*	Y	N	Y	Y	N	Y	N	Y
Vuich (D)	N	Y	Y	N	N	Y	Y	Y	Y	Y
Watson (D)	Y	N	Y	N	Y	N	Y	Y	Y	Y
Wilson (D)	N	Y	Y	N	Y	Y	*	Y	Y	Y

VOTING RECORDS

Listed here are the votes of legislators on recent major roll calls through the end of session. Votes selected involve issues of major importance and issues on which there was a major division of opinion, or both.

Y – Yes **N – No**
***— Absent or not voting**

A 2/3 vote is required for urgency measures, constitutional amendments, and appropriations.

Assembly: 41 votes required for passage of bills needing a simple majority. (2/3 = 54 votes)

Senate: 21 votes required for passage of bills needing a simple majority. (2/3 = 27 votes)

Senate

AB 1131 (W. Brown) — Requires that California firms be given preference in the award of state contracts under certain circumstances. Passed, 21-16.

SB 584 (Vuich) — Prohibits agricultural unions from taking workers off the job, under a union security agreement, for failing to maintain union membership. Passed, 24-9.

AB 2750 (McAlister) — Increases maximum disability-insurance benefits. Passed, 25-10.

AB 1426 (Young) — Establishes procedure for adopted persons to contact natural parents. Defeated, 18-18.

AB 1981 (Stirling) — Permits use of blood test in a paternity suit for a man to prove he is not the father of a child. Passed, 28-10.

AB 224 (Berman) — Prohibits discrimination against students in the rental of apartments. Defeated, 18-17 (21 votes required).

AB 1323 (Nolan) — Provides for hearings in cases where police deny handgun permits. Passed, 21-13.

AB 2463 (Roos) — Authorizes the Fair Political Practices Commission to appoint hearing officers for hearings on Political Reform Act violations. Passed, 27-11.

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AB 3197 (Knox) — Prohibits election officials from accepting initiative petitions with format or signature irregularities. Passed, 21 - 13.

AB 2730 (Levine) — Permits the state to finance neighborhood mediation centers to resolve minor legal matters. Passed, 21 - 11.

Assembly

SB 1249 (Sieroty) — Permits car-wash firms to condition the sale of gasoline on the purchase of a wash. Passed, 55 - 24.

SB 1580 (Campbell) — Authorizes prescription of laetrile under limited circumstances. Passed, 46 - 30.

AB 2001 (Bergeson) — Enacts income-tax indexing permanently. Override of governor's veto failed, 51 - 24 (54 votes required).

AB 507 (Chacon) — Revises bilingual-education programs. Passed, 48 - 17.

AB 3197 (Knox) — Prohibits election officials from accepting initiative petitions with format and signature irregularities. Passed, 43 - 32.

SB 82 (Garamendi) — Re-establishes Lake Tahoe regional planning agency. Passed, 49 - 23.

SB 1493 (Petris) — Limits power of attorney general to investigate and prosecute religious organizations. Passed, 57 - 12.

SCA 33 (Keene) — Proposed constitutional amendment removing the lieutenant governor as president of the state Senate. Passed, 55 - 23.

Assembly (50D, 30R)	SB 1249 SB 1580 AB 2001 AB 507	AB 3197 SB 82 SB 1493 SCA 33		SB 1249 SB 1580 AB 2001 AB 507	AB 3197 SB 82 SB 1493 SCA 33
Agnos (D)	YNNY	YYYY	Kelley (R)	NYYN	NNYY
Alatorre (D)	YYYY	YYYY	Knox (D)	YNNY	YYYY
Bane (D)	YYYY	YYYY	Lancaster (R)	NYYN	NNYN
Bannai (R)	NYYY	NNYY	Lehman (D)	NYNN	YYYY
Bates (D)	NYYY	YYYY	Leonard (R)	NYYN	NNYY
Bergeson (R)	NYYN	NN*N	Levine (D)	YNN*	YY*Y
Berman (D)	YNNY	YYYY	Lockyer (D)	YYNY	YYYY
Boatwright (D)	YYNY	YYYY	Mangers (D)	*NY*	*YYN
Bosco (D)	YNYY	NYNY	McAlister (D)	YNY*	NYNY
Brown, D. (R)	YYYN	NNYN	McCarthy (D)	YNNY	YYYY
Brown, W. (D)	YNNY	YYYY	McVittie (D)	YYNY	YYYY
Calvo (D)	YYN*	YYYY	Mello (D)	Y*Y*	*YYY
Chacon (D)	N*NY	Y*YY	Moore (D)	YY*Y	YYYY
Chappie (R)	N*Y*	*NYN	Moorhead (R)	NNYN	NYYY
Cline (R)	NNY*	***N	Mori (D)	YYYY	NYNY
Costa (D)	YNNY	YYNY	Mountjoy (R)	NYYN	NNNN
Deddeh (D)	YN*Y	YYYY	Naylor (R)	NYYY	NY*N
Duffy (R)	NYYY	NNYN	Nestande (R)	YYY*	YYNY
Egeland (D)	YYNY	YY*Y	Nolan (R)	NYY*	NNYN
Elder (D)	YNYN	YYYY	Papan (D)	YNYY	Y**Y
Ellis (R)	NNYN	NNNN	Perino (D)	NN*Y	Y*NY
Felando (R)	YNYN	NYYY	Priolo (R)	YYY*	**NY
Fenton (D)	YYNY	YYYY	Robinson (D)	YYYY	Y*NY
Filante (R)	YNYN	NY*Y	Rogers (R)	NYY*	NN*N
Frazee (R)	YYY*	NNYN	Roos (D)	YYNY	YNYY
Gage (D)	YYNY	YYYY	Rosenthal (D)	YYNY	YYYY
Goggin (D)	YYNY	YYYY	Ryan (R)	YNY*	NNYY
Greene (D)	YY*Y	YYYY	Statham (R)	YNY*	NNNN
Hallett (R)	NNYY	NNYN	Stirling (R)	YYYN	NN*N
Hannigan (D)	YNYY	YYYY	Tanner (D)	YY*Y	Y*YY
Harris (D)	YNNY	YY*N	Thurman (D)	YYYY	NYYY
Hart (D)	YNYY	NYNY	Torres (D)	YYYY	YYYY
Hayden (R)	YYYY	NYYN	Tucker (D)	YYNY	Y*YY
Hayes (R)	YNYY	NYYN	Vasconcellos (D)	NYYY	NYY*
Hughes (D)	Y*NY	YYYY	Vicencia (D)	YNNY	YYYY
Imbrecht (R)	NYYY	NYYN	Waters, M. (D)	YNNY	YYYY
Ingalls (D)	YNYY	YYYY	Waters, N. (D)	YYYY	YNYY
Ivers (R)	YYYN	NNYN	Wray (D)	YYYN	YNYY
Johnson (R)	NNY*	NNYN	Wyman (R)	NYYN	NNYN
Kapiloff (D)	NYYY	YY*Y	Young (D)	YYYN	YYYY

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*With this column, the **Journal** provides a forum for those wishing to express opinions on California political issues. Inquiries about future columns are encouraged.*

The hidden lawmakers

By JOSEPH C. MASTROIANNI

There is an element in our political process which has become unanswerable to its constituency. Its officials possess the potential for a breach of public trust which is both glaring and undeniable. Who are these nameless, faceless makers of law? They are the members and staffs of the various regulatory agencies, normally appointed by elected officials.

The coastal protection laws and the California Coastal Commission provide a suitable opportunity for the purpose of unfolding this critique. The state Coastal Commission and the six regional commissions were primarily charged with the task of coordinating and guiding a coastal planning and management effort in partnership with local government. The commissions control all coastal permit reviews until the local coastal plans are completed.

In my opinion, the majority of the present coastal commissioners share a no-growth doctrine. Many live in the coastal zone and like it just the way it is. They direct a staff which predominately opposes the concept of private land holdings, preferring collective or public ownership of property instead. Commission and staff, therefore, form a relationship which can promote their ideals — no-growth and collective ownership of the land — with the illusion that coastal management is being achieved. Who can presently deny that coastal resources are being observably protected?

The commissions have been able to slow down growth in the coastal zone; have been successful in denying owners use of their coastal property, and have extorted private lands in return for coastal development permits — all within the system.

Joseph C. Mastroianni is the executive director of the California Coasal Council, a private organization based in Santa Barbara.

How do agencies such as the Coastal Commission go bonkers? A large part of the blame must rest with the Legislature. Laws written which create bureaucracies are often vague. Wide latitude is left in the interpretation of legislative intent. Additionally, other than the present oversight procedure, which has obviously not worked, there is no definitive system by which governmental agencies can be monitored.

A major cause of serious difficulties for those who must deal with this problem is the promulgation of administrative rules and regulations by bureaucracies. Not only are they a tool used to expand authority, but they can effectively circumvent an applicant's constitutional guarantees of due process as well. Hearings held by administrative or regulatory agencies are not subject to the same edicts as courts of law. Accordingly, the rules of evidence are not applicable. Unsubstantiated information can become part of the public record. Decisions are based on findings often grounded upon such information. The judiciary is limited in their review of the administrative record. They cannot reweigh the truth or falsity of the recorded facts, only whether any evidence exists to justify the decision which was made.

Further increasing the difficulty in controlling these agencies is the age-old problem of the survival instincts and expansionist tendencies of all bureaucracies. Federal funding, along with the accompanying loss of autonomy and ineffective or nonexistent sunset laws, also contribute to control.

There are never easy solutions. I do believe, however, that action based along the following lines would certainly be progress in the right direction.

- **Legislation should be written** to reflect expressed rather than implied legislative intent.
- **Conduct a major reform** of the civil service statutes, which could include term hiring of civil employees and a system of advancement based on merit rather than longevity.
- **A comprehensive system** of monitoring all regulatory agencies should be devised, and a simple method of overturning regulations which are contrary to legislative intent should be introduced.
- **Effective sunset legislation** could automatically abolish all governmental agencies at the end of specific terms, unless they can be rejustified. Such legislation could provide for major modification of agencies where the need is demonstrated.
- **Federal funds** should not be accepted in instances requiring the establishment of administering agencies which the state must then support when federal funding is cut back or cut off. New programs should be administered by already existing entities, preferably at the local level.
- **Judicial reforms** could include *de novo* hearings at the Superior Court level, where the court would not be limited to the existing administrative record or bound by the decision of the regulatory body. It could award attorney fees to the prevailing party and invoke punitive damages in the instance of frivolous litigation.
- **Private-sector task forces** consisting of high-level executives in private industry should be turned loose at every level of government to "red pencil" harmful regulations and to identify the areas where administrative changes would result in increased efficiency and cost reduction.

The danger that we all face from the hidden lawmakers must be both recognized and remedied. Clearly, they pose a threat which, if allowed to go on unchallenged, will undermine our political system — a system which, though imperfect, still allows the most individual freedom of any other known.

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Battle of the belts

By Leo Rennert

In the last few weeks, the battle for federal dollars between Sun Belt and Frost Belt lawmakers has grown more intense as Congress put the finishing touches on next year's budget. The Northeast and Midwest are on the offensive and chalking up important gains — as they have for the last several years. California and other Sun Belt delegations continue to fumble around in the legislative trenches. The West and South are in retreat.

LIKE ANY OTHER PROLONGED WAR, this one has developed its own share of legends and myths. To hear Frost Belt lawmakers tell it, the South and West have been gorging themselves at the federal trough ever since the New Deal. With dams, highways, farm subsidies, defense contracts and science labs, the Sun Belt enjoyed prosperity while America's traditional industrial heartland went into decline. To aggravate the regional imbalance, the federal government ignored these new realities and still allocates an excessively high percentage of its budget to the booming Sun Belt while shortchanging the Frost Belt. The rich (South and West) are getting richer; the poor (Northeast and Midwest) are getting poorer.

It's a perception that has become almost universal. There's just one problem: It no longer fits the facts. A few years ago, before it grew militant and decided to get a bigger share of the federal pie, the Frost Belt had some well-founded complaints. The imbalance in government spending policies was real. However, thanks in large part to the Frost Belt's own success, the situation now has altered dramatically. Yet, hardly anyone on either side of the regional divide seems to have noticed the change.

Within the Frost Belt, the Midwest remains a big loser when it comes to federal spending. But New England — with an assist from the Carter White House and Speaker Thomas (Tip) O'Neill — clearly has won the battle for a bigger share of the budget and ranks near the top in the scramble for government largesse. Within the Sun Belt, the 18 western states now get poorer treatment from Washington than New England. California and Texas used to get back billions more in federal outlays than they contributed in taxes to the federal treasury; now the picture has been reversed and dollars from taxpayers in these two major Sun Belt states are increasingly finding their way into the Frost Belt.

Here are just a few examples of how yesterday's truism has become today's canard: Four years ago, New England got back only 95 cents for every tax dollar it paid into the federal treasury, while the West was sitting pretty with a profitable return of $1.17 on every dollar it sent to Washington. Four years later, New England's rate of return has moved to the "profit" side of the ledger and risen to $1.09. The West's margin of gain meanwhile has shrunk to $1.07. Somewhere along the way, New England pork-barreled ahead of the West — and nobody noticed.

Four years ago, California got back $1.13 for every tax dollar it sent to Washington, while Massachusetts was on the losing side with a return of only 98 cents. Today, the figures are exactly reversed. Massachusetts gets back $1.13 and California is in the loss column with 98 cents. In 1979, the federal government spent $1.6 billion more in Massachusetts than it collected in taxes. Meanwhile, Uncle Sam took more than $1 billion out of California than he put back in.

Ironically, all these figures can be found in a new report issued by the congressional Frost Belt coalition to peddle the old line that California and the Sun Belt still have an unfair grip on the federal budget. What the Frost Belt's own findings actually prove is that regional generalizations which made some sense five years ago no longer hold water. True, if you don't look too carefully at the actual data, it can be said that the Sun Belt still gets an overall better rate of return in the distribution of federal dollars than the Frost Belt. But the gap is narrowing. And within the Sun Belt, the West has relinquished its lead to the South and California is steadily losing ground.

Yet, the basic rhetoric remains the same. Although some of the rich are getting poorer and some of the poor are getting richer, the Sun Belt-Frost Belt war continues as if nothing had changed. When the House debated a $1.8 billion aid package to help poor people pay soaring utility bills, the Frost Belt again walked away with most of the money by playing on the old poor region-rich region distinction. Silvio Conte of Massachusetts painted California as a land of milk and honey while sketching a picture of abject poverty in New England. Sun Belt lawmakers vainly argued that thousands of poor people died in their region in this year's heat wave. When Ed Roybal of Los Angeles offered an amendment to distribute the fuel-aid money a bit more evenly, Conte lashed out and screamed: "Everybody has gone to California. California, here I come. Why? Because of the beautiful climate in California."

The House rejected Roybal's amendment on a 215 - 199 roll call. Some observers argued that the balance of power is bound to shift in a couple of years after the Sun Belt gains more than a dozen House seats at the expense of the Frost Belt from the 1980 census. But power in Congress cannot be gauged by looking only at numbers. Legislative skills and dedication often count for more. For many years, the South played a dominant role on Capitol Hill far beyond what its numerical strength would justify. Now, it's the turn of the Frost Belt, which has developed a strong, cohesive coalition.

THE CALIFORNIA DELEGATION, while voting 41 to 2 for the Roybal amendment, was badly outclassed. Many Californians stayed away from the House floor and trooped in only to vote. Anthony Beilenson and Paul McCloskey sided with the Frost Belt. George Miller and Pete Stark were tempted to break ranks but rejoined the California fold before the end of the roll call.

Why the feeble response and lack of total solidarity on the California side? Frost Belt lawmakers effectively flaunt their region's poverty to get more federal dollars. In contrast, some Californians who readily accept the Frost Belt's plight tend to shrink from poverty in their own state and districts. To them, the South Bronx is a more compelling symbol of urban distress than Watts. Californians are not at ease with poverty; it goes against some of their most cherished myths.

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Anybody that wants the presidency so much that he'll spend two years organizing and campaigning for it ought not to be trusted with the office.

— David Broder

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